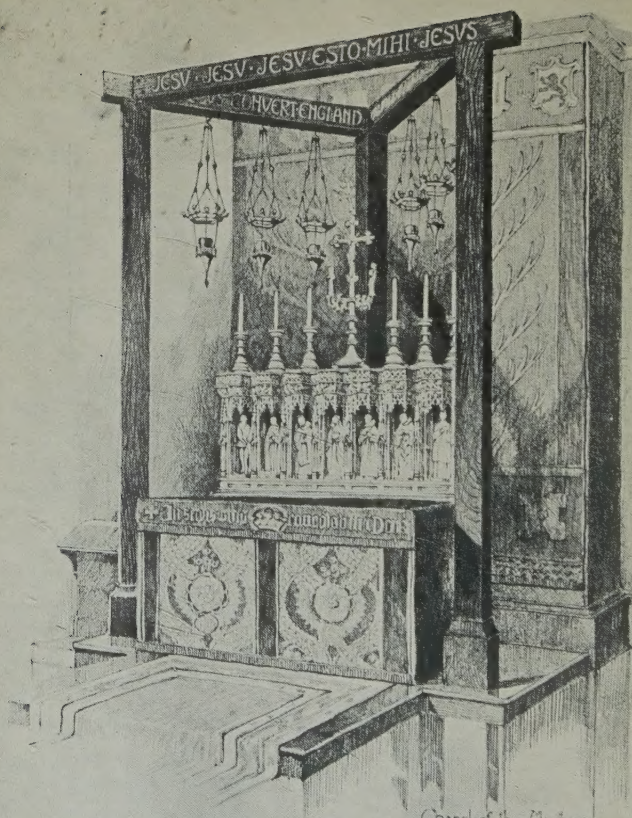


A. M. Jones
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THE ENGLISH MARTYRS



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The English Martyrs

Papers from the Summer School of Catholic
Studies held at Cambridge, July 28–Aug. 6, 1928

Edited by

The REV. DOM BEDE CAMM

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EDITOR'S PREFACE

THE English martyrs are too little known and appreciated by their fellow-countrymen, and it is hoped that this volume will help to remove this reproach. The choice of this subject for the Cambridge Summer School of 1928 was enthusiastically welcomed at the business meeting held at the end of the School of 1927. It was realized that our Catholic Martyrs needed to be better known; and though this was a subject belonging rather to History than to Theology, it was one which was eminently suited for the consideration of a School of Catholic Studies.

There are two causes connected with our Martyrs now being examined at Rome—that of the Canonisation of Blessed John Fisher and Blessed Thomas More, and that of the Beatification of more than 250 Martyrs who suffered between 1535 and 1679.

It is indeed confidently hoped that at least the latter cause may be completed during 1929, and many are the prayers going up to God for this happy consummation. In any case it was felt that this School of 1928 could not be devoted to a more appropriate and more timely study.

The success of the School more than justified the hopes of its promoters. It was the most largely attended of any which have so far been held, and was signalized by the enthusiasm of those who took part in it.

The plan of the matters to be treated of in the papers

was very carefully made by the Committee. It was felt that the papers read at the School should not be limited to biographies of the more prominent martyrs, but that the whole subject of Martyrdom and the historical events which led to the immolation of so many gallant Englishmen for their faith should be comprehensively and scientifically dealt with. How this was carried out will appear from the perusal of the papers printed in this volume.

Thus Father Ronald Knox begins with a most characteristic and delightful study of 'the Theology of Martyrdom'—*Causa non poena facit martyrem*. It is not what a man suffers, but the cause for which he suffers, that makes a martyr.

Then, in view of the wide misunderstandings that prevail in England as to the cause for which our Catholics martyrs suffered, the learned Provincial of the Dominicans explains the relations of Church and State in the Middle Ages, and points out the difficulties which our martyrs had to face, when they tried to be loyal to their spiritual Father and Lord the Pope, and at the same time to a temporal sovereign who had rebelled against the Spiritual Power.

Abbot Smith's most interesting and lucid paper on the 'Processes of Beatification and Canonization,' especially as applied to the present cause, makes the complicated procedure of the Roman Courts easy to understand, and is a most valuable contribution to the history of the subject.

The Vice-Postulator of the Cause of the Canonization of More and Fisher gives us the present state of that most interesting process, and will surely infect the reader of his paper with some of his own enthusiasm.

Two very useful historical papers follow; in the one Father McNulty deals with the Parliament that so slavishly seconded King Henry VIII in his rebellion against the Holy See, and whose acts became the pretext for many illustrious martyrdoms, and the Bishop of Clifton in the other shows clearly how detestable to the English people were these proceedings which sought to rob them of their ancient faith.

It is often objected against us, that Protestants had their martyrs as well as Catholics, and so it was thought well to devote a paper to the consideration of Foxe's *Book of Martyrs*. This is admirably done by an Oxford historian, Dom Dunstan Pontifex. He is followed by another Oxford man, Father John Rogers, who gives us an excellent account of how a complete change in the religion of the country was devised by the Elizabethan Government, and ruthlessly carried out according to plan.

The Act of 1585, which set the final seal on the long process of persecution, is dealt with by Father Harrington, a Cambridge scholar. It was under this Act that the great majority of our martyrs suffered. It is therefore necessary to study it carefully, and this the writer has done.

We now come to the contemplation of the lives and sufferings of different classes of martyrs, those of the secular clergy, the various religious orders, and the laity. These are all dealt with by scholars who thoroughly know their subject, and give as adequate a conspectus as possible, in the limits of the space allowed us, of the glorious witness that they offered to the truth of the old religion brought to us from Rome by Augustine and his monks.

Besides these papers printed in this volume, there were five lantern lectures. These attracted the largest audiences, and were most enthusiastically received. They are not printed here, as they would lose so much of their value without the pictures that illustrated them, and because those who gave them will no doubt give them many times again in other places.

The first, which indeed opened the School, was given by the Rev. J. F. McNulty and was entitled 'Cambridge University and its Martyrs.' The second was on 'The Discovery of the Body of the Ven. John Southworth at Douai, July, 1927,' by Father Purdie, who did so much to bring back this wonderful relic to England. It is the only complete body of a martyr now in Catholic hands, except indeed that of Ven. Philip Howard at Arundel. The pictures Fr. Purdie gave us of this embalmed body (the beautiful face of the martyr-priest still haunts the memory), and the description so minute and so graphic of its discovery and preservation, made a very deep impression on those who were privileged to attend this lecture. Many of them had the still greater privilege of seeing the body for themselves, as an excursion to St. Edmund's College, where it is now preserved, formed part of our programme.

Three more lantern lectures were given by the Editor. They were entitled, 'The Martyrs and the Mass,' 'Cardinal Allen and the Martyrs of the Seminaries,' and 'A Historic Pack of Cards' (the Martyrs of the Oates Plot).

The Editor of the other volumes of this series, the Rev. Father C. Lattey, S.J., M.A., is now absent in

Palestine, so he has asked the present writer to edit this volume for him. This he has gladly done, and indeed it was appropriate for him to do it, since he had the honour of originally suggesting that the subject of the English Martyrs should be chosen for the Summer School of 1928.

The frontispiece represents the altar in the Oratory of the English Martyrs at Tyburn Convent. It is taken from a beautiful drawing by Mr. Joseph Pike. The Editor was responsible for the suggestion of erecting a model of the triple Tyburn Tree, to overshadow the altar of Sacrifice. On the *reîedos* are statues carved in oak of Our Lady Queen of Martyrs, and of some of the more prominent of the *Beati* who suffered at Tyburn. Behind the tree is an embroidered hanging bearing crowns and palms, and the coats of arms of England, Scotland and Wales and of the Universities of Oxford and Cambridge. Lamps with crowns hang suspended from the tree, and its beams are carved with the prayer that was heard whispered by the dying lips of many of our glorious martyrs.

Jesu, Jesu, Jesu, esto mihi Jesus, was their prayer, and surely it was answered if ever prayer was. The dying words of the Franciscan, Venerable Henry Heath, a scholar of Corpus Christi College, Cambridge, are carved on the other beams of the Tree, and they sum up the motive which inspired this School: *Jesus, convert England : Jesus, have mercy on this country !*

DOM BEDE CAMM.



CONTENTS

	PAGE
EDITOR'S PREFACE - - - - -	v
I. THE THEOLOGY OF MARTYRDOM - - -	1
Rev. RONALD A. KNOX, M.A.	
II. THE RELATION OF CHURCH AND STATE IN THE MIDDLE AGES - - - - -	19
V.Rev. BEDE JARRETT, O.P., M.A., S.T.L.	
III. THE PROCESSES OF BEATIFICATION AND CANONIZATION - - - - -	43
R.R. Abbot ALOYSIUS SMITH, C.R.L., D.D.	
IV. BLESSED JOHN FISHER AND BLESSED THOMAS MORE - - - - -	77
V.Rev. P. E. HALLETT.	
V. THE REFORMATION PARLIAMENT (1529-1536)	97
Rev. J. F. McNULTY, M.A.	
VI. POPULAR RESISTANCE TO THE NEW RELIGION - - - - -	118
The Lord BISHOP OF CLIFTON	
VII. CATHOLIC RESTORATION UNDER QUEEN MARY (Foxe's Book of Martyrs) - - -	137
Dom DUNSTAN PONTIFEX, O.S.B., M.A.	
VIII. THE ELIZABETHAN "DEVICE FOR THE ALTERATION OF RELIGION" - - -	156
Rev. J. F. ROGERS, S.J., M.A.	

	PAGE
IX. THE CLIMAX OF THE PERSECUTION, THE ACT OF 1585 - - - - -	186
Rev. H. HARRINGTON, M.A.	
X. FRANCISCAN MARTYRS IN ENGLAND - -	212
Fr. CUTHBERT, O.S.F.C.	
XI. THE MARTYRS OF THE SECULAR CLERGY, A.D. 1535-1681 - - - - -	232
Rev. R. W. MEAGHER, D.D., Ph.D., M.A. (Lond.), B.A. (Cantab.)	
XII. THE BENEDICTINE MARTYRS - - -	249
Dom STEPHEN MARRON, O.S.B.	
XIII. THE ENGLISH MARTYRS OF THE SOCIETY OF JESUS - - - - -	268
Rev. C. A. NEWDIGATE, S.J.	
XIV. MARTYRS OF THE LAITY, A.D. 1535-1680 -	288
JOSEPH CLAYTON, F.R.Hist.S.	
INDEX - - - - -	305

I

THE THEOLOGY OF MARTYRDOM

BY THE REV. RONALD A. KNOX, M.A.

THE currency of our English speech has suffered for many years, and is still suffering, from a process of depreciation for which the newspapers are mainly responsible. As each coin has a certain purchasing power, so each word has a certain expressing power; and you cannot use words recklessly, again and again, to express something much more general, much more simple, than their derivation and classical usage warrants without debasing your currency; the proper force of a word becomes obscured, and with the word the thought commonly becomes obscured also. Innumerable instances might be quoted; consider, for example, the word 'tragedy.' 'The word 'tragedy' has a highly specialized meaning, which is only appreciated rightly after a perusal of Aristotle's Poetics. Whatever else it means, it certainly involves an interplay of character and situation; it depends on the reaction of character to circumstances. To-day, if a motor-coach full of trippers falls over a cliff, this is immediately placarded as a tragedy. It is not a tragedy; or rather, you cannot say that it is unless you know something about the passengers beyond the fact that some were, and some were not, insured by the newspapers. It is a calamity, if you will, but why call it a tragedy? Similarly if you read in the papers the head-line, HAIR-DRESSER'S ROMANCE, you will probably find in the text that a

member of that useful profession has come in for a large sum of money: that is not a romance. Why not say calamity when you mean calamity, and good fortune when you mean good fortune, instead of abusing terms which have, in reality, a far subtler signification, like tragedy and romance?

The word 'martyr' in English, and, more curiously, in French, has long been debased in this fashion. If I remember my Dante, it has a still longer history of misuse in Italian. Anyhow, in our own country it is perfectly possible to hear a person say, 'Unfortunately, I am a martyr to gout.' I want to examine that phrase, 'a martyr to gout,' because it will serve well enough to illustrate, under various aspects, what the word 'martyr' does not mean.

In the first place, the man who uses the phrase is using it wrongly, because he is still alive. You cannot be a martyr until you are dead. That is not, I need hardly say, an inference you can make from the derivation of the word. The word *martyr* means a witness, and it is possible to be a witness without sealing your testimony by death. It is true that it was applied indiscriminately to all who suffered for the faith, until the title of 'Confessor' was invented. But in its technical usage—and the technical usage of so many centuries ought, surely, to have a prescriptive right—the word 'martyr' only applies to somebody who is already dead. There is some dispute among theologians as to whether one who has been subjected to ill-treatment which must normally result in death, but has been rescued by a miracle—as St. John was from the caldron of burning oil—is not worthy of the title. But it is significant that in actual speech St. John is not referred

to as a martyr. And I hope I may be pardoned for leaving on one side a speculative problem which does not concern us when the English martyrs are in question.

In the second place, a man is not a martyr to gout even if he dies of it. He is not a martyr, because no altruistic considerations are involved. Martyrdom implies, not simply losing your life, but in some sense giving up your life. Your life is prematurely cut short in the interests of something other than yourself. So far, I think, we should carry most sensible people with us. Most sensible people would admit that neither suffering by itself, nor suffering followed by death, is martyrdom properly so called.

The next point is more controversial. Let us suppose the case of a wine-taster, who has no other means of livelihood, and, being constitutionally subject to gout, hastens on his death through the exercise of his profession for the sake of his ailing wife and starving children. I can imagine the situation being made up very prettily into a story for one of the monthly magazines. There is heroism here, of an odd description, but not martyrdom. The Church does not canonize as martyrs those heroic priests, nuns, and layfolk, who have met their death through persistently attending on the sick in times of pestilence. St. Aloysius, though his death was undoubtedly due to this cause, was not canonized as a martyr. And if Father Damien should ever be canonized, he will not be canonized as a martyr, in spite of the deliberate way in which he faced the prospect of giving up his life for the flock he tended. God only knows what glory he has prepared hereafter for such deaths as these. But they are not in the ecclesiastical sense martyrdoms, because they are not,

directly, an assertion of religious truth against the enemies of religious truth. Such lives are laid down for Christ's sake, but not in Christ's quarrel. In fact, as we shall see in a moment, there can be no martyrdom without a persecutor, and in the case under consideration there is no persecutor. Rhetorically, it may be permissible to bring in the word martyrdom, but not technically, not with any theological accuracy.

And now for one last and still more far-fetched supposition. Suppose that the man is an ancestor-worshipper, and his religious opponents put him in prison and allow him nothing but port to drink unless he will admit that ancestor-worship is wrong. Suppose he dies under this treatment, he is still not a martyr. He is bearing testimony, but he is bearing testimony to a false religion instead of the true religion. And there, of course, we have all the wishy-washy philosophy of the modern world up in arms against us in a moment. —'What!' they say, 'are you Catholics really so narrow-minded that you cannot honour religious heroism except when it is displayed by Catholics! You are always telling us that a Protestant who is in good faith, as you call it, can be saved because he is following the best light that is given him. What, then, of a man like Ridley, who could not bring himself to believe that the Pope was the Head of the Church, or that the Mass was a Sacrifice, and, because he could not bring himself to believe it, would not be hypocrite enough to pretend that he did? Do we not admire in him exactly the same qualities we admire in John Fisher or Thomas More? And if we admire the same qualities in him as in the others, shall we not allow him to share with the others the title of martyrdom?'

Of course, all that kind of argument is really based on a complete disbelief in the existence of absolute truth. The religion of the modern world is, 'Be good, and you will go to heaven, if there is such a place.' A martyr, in the essential signification of the term, means a man who dies, not merely to bear testimony, but to bear testimony to the truth. Edmund Campion died because he believed in the Pope and the Mass. Thomas Cranmer died because he disbelieved in the Pope and the Mass. It is an intelligible attitude to say that Cranmer was a martyr and Campion was not. It is an intelligible attitude to say that neither Cranmer was a martyr nor Campion. But to say that *both* Cranmer and Campion were martyrs is to say good-bye to all reason and all common-sense. Each of them died in the belief that he was bearing witness to the truth; and if you accept both testimonies indiscriminately, then you are making nonsense of them both. The only point in common between the two men is that both died for their religious opinions. It is ridiculous to suppose that either of them accepted death as a protest against the theory of religious persecution. On the contrary, Cranmer persecuted with the best of them. Neither of them minded being put to death for the sake of religion; but either protested, that the religion which he died for was the true one. It is a poor compliment to such heroism to conclude that after all it does not much matter one way or the other!

In a word, the state of mind in which a man dies for a false religion may be, substantially, the same as the state of mind in which a man dies for a true religion—at any rate, there is no need to emphasise the difference. But states of mind are not everything. For us Catholics,

there is such a thing as absolute truth, which is quite unaffected by states of mind on the part of those who defend or those who attack it. If we were considering the psychology of martyrdom, we might perhaps be content to rule out the whole notion of absolute truth. The psychologists do talk, nowadays, I understand, about what they call the martyr-complex. I should very much like to have the persecuting of these modern psychologists. Either they would recant, or I would send them off to be psychoanalysed until they could get rid of their martyr-complex. But we are not considering the psychology of martyrdom; we are considering the theology of martyrdom. And martyrdom, as a theological term, means dying to bear witness to the true religion—which is, as we happen to know, the Catholic religion.

And martyrdom, in this sense, is something very much more than a state of mind. It is something which determines, and determines suddenly, the eternal welfare of a human soul; it is a direct gate to heaven, independent of baptism. The importance of martyrdom, therefore, for us, is not a question of sentimental appreciation or of pulpit rhetoric. It is a matter of plain, supernatural fact. There is your corpse; and theology has to decide whether the soul which belonged to it can or cannot safely be pronounced already in heaven. I say, independently of baptism; because the Church has recognized, from her very earliest beginnings, that an unbaptized person who seals with his blood the faith that has begun to dawn in him, is justified no less effectively than one over whom the saving waters of baptism have flowed. That is a case which does not often arise nowadays, except in missionary countries; but it is equally certain that martyrdom, in a baptized Christian, can have the

effect of sacramental absolution. Some kind of sorrow for sin is doubtless required; but it is difficult to imagine anybody dying for the faith unless he had sorrow for his sins of a kind which would justify him in the confessional. Supposing that the sin is mortal, and hitherto unconfessed; supposing that the sorrow falls short of perfect contrition—the man has been killed; has he been martyred? If so, he is in heaven; if not, he is in hell.

✓ The difference, then, between martyrdom and non-martyrdom is not a difference of words; it is a difference of hard facts. And, in view of the important effects which (according to the most primitive Christian tradition) martyrdom involves, it is not surprising that theologians speak of martyrdom as a quasi-sacrament. It is not, of course, a true sacrament; it lacks that quality of signification which the word implies; nothing in martyrdom symbolises the grace which martyrdom wins. But it can be called a quasi-sacrament because it is a transaction in the natural order which produces its direct effects in the supernatural order. Something which happens to a man's body has made a difference to the status of his soul.

But the resemblance to a sacrament lies deeper than this. We are all accustomed to the distinction in the theology of the Sacraments between the *opus operatum* and the *opus operantis*; between the grace which is conferred alike on all those who receive the Sacrament, unless they actually have dispositions which render it unfruitful, and the grace which is given to various recipients in various degrees, according to the dispositions which they bring with them. Now, if you take the modern view about martyrdom, which we have just been discussing and rejecting, the effect of martyrdom must

fall entirely under the heading of *opus operantis*. If nothing is valuable about martyrdom except the heroic fortitude with which the martyr despises life, then the man who is hanged, drawn, and quartered is more of a martyr than the man who is merely hanged, because it requires a higher degree of fortitude to face the one prospect than the other. All that difference we recognize—the difference, I mean, between the dispositions shown in this instance of martyrdom and in that. But we also recognize that martyrdom can produce an effect *ex opere operato*, independently of the dispositions in which it is met. In a word, it has what Dr. Barnes of Birmingham would call a magical effect. Martyrdom is like Confession or Communion, in the sense that we get something out of it over and above what we put into it.

Does that mean that it is possible to be a martyr without having any intention of being a martyr? It does not, so long as you are a grown-up person. For example, if an enemy of the faith comes and murders you in your sleep, you are not a martyr unless you had, before you went to sleep, some kind of intention which would qualify you for the title. Whether a virtual intention or a habitual intention is required can, I believe, be a subject of legitimate dispute; persons of a morbidly timorous conscience might do well to make an intention of being martyred every night before retiring to bed, just to be on the safe side. But I omit, here, the academic question at issue: whether, for example, a man who is shot by an assassin's bullet, having never expected such a thing to happen, is or is not a martyr; because the saints whose cause we are at present concerned with were men who were put to death in cold blood. I confine myself to the main point, which is that it is possible

to be a martyr without having any dispositions in the matter at all. It happens only in the case of infants; but it does happen in the case of infants.

There can be no sort of doubt about the Church's mind in this matter. Quite apart from the infant children who are commemorated among the groups of many martyrs, the Holy Innocents have enjoyed an immemorial cultus, and it is clear *ex hypothesi* that none of these could be supposed, short of a miracle, to have formed any intention, to have harboured any dispositions, or even to have had any idea about the cause for which they were suffering. The Church is committed to the view that the Holy Innocents went straight to heaven, although they had not been baptized. They went to heaven as martyrs, and that title came to them *ex opere operato*, not *ex opere operantis*; came to them not because they chose to die, but because Herod chose to kill them. It is peculiarly characteristic of English sentimentalism that the Holy Innocents should still be honoured as martyrs by our Protestant fellow-countrymen, although their position is so widely different from all that our Protestant fellow-countrymen mean by martyrdom.

Martyrdom, in fact, the baptism of blood, resembles the baptism of water in this, that its effects can, in the extreme case, be produced entirely *ex opere operato*. There is another point in which martyrdom resembles the Sacraments—at least two people are involved. You cannot martyr yourself, any more than you can baptize yourself, shrive yourself, or ordain yourself. We have already seen that the man who dies from a natural disease, even if he has contracted it while doing works of heroic charity, is not a martyr. Similarly, the man who commits suicide in order to bear testimony to his faith is

not a martyr; that is a tenet of the Circumcellion heresy. It is true that some of the saints have anticipated the designs of their executioners; St. Apollonia, for example, who flung herself into the fire that was prepared for her; but such isolated instances have to be met by the supposition of a special private inspiration. They do not concern us here; the main point holds good, which is that it takes two to make a martyrdom; the quasi-Sacrament must have its quasi-Minister; and the quasi-minister of this quasi-sacrament is the tyrant who inflicts death on his victim through hatred of the faith.

May I recapitulate the position so far maintained, in a brief paragraph? The modern world means, by martyrdom, death deliberately undergone by a defenceless person for the sake of any altruistic cause or ideal. It does not matter whether he is put to death by a persecutor, or whether he brings death upon himself by his own heroic behaviour. The Church means, by martyrdom, death undergone at the hands of those who hate the Christian religion, for the sake of the Christian religion; and undergone, in the case of adults, deliberately. Martyrdom, for us, is not a name for a set of heroic dispositions. It is the *accolade* of knighthood given to Christ's own champions, when the sword He brought to earth with Him falls upon their shoulders.

It now remains to determine more accurately the kind of dispositions which make for martyrdom *on both sides*. Dispositions are needed in the minister of a sacrament, not only in the recipient. And in this quasi-Sacrament we have to consider the dispositions of the tyrant who is the quasi-minister, as well as those of the martyr himself. Let us consider the tyrant's dispositions first.

It may seem strange, at first sight, that the devil

should have any say in the matter. But it is clear, upon a moment's reflection, that it is possible for a Christian to fall by the hand of a tyrant without being a martyr, if it was a matter of indifference to the tyrant whether his victim were a Christian or not. Thus, if the present Government of Russia should come to the conclusion that that country was over-populated, they might proceed to decimate the Russian people, choosing their victims by lot. On the law of averages, it is probable that some few Catholics would be involved in this wholesale destruction. They would not be martyrs. The Russian Government might congratulate itself upon their disappearance; but the motive of their disappearance would be unconnected with the Christian religion; they would not be martyrs any more than if they had succumbed to a cholera epidemic. To take an actual instance, King Henry VI is frequently described as a martyr by friendly chroniclers. But if Henry were ever raised to the altars of the Church it would be as a Confessor, not as a martyr. Here you have an instance in which a bad man murdered a good man, but the motive was purely dynastic, and therefore produces no theological effects.

The common definition of martyrdom is death, inflicted by a tyrant *propter odium fidei*, on account of his hatred for the faith. Such a definition needs qualification from the start. It is not necessary that the tyrant should hate the faith generally; both King Henry II and the knights who obeyed his fatal order about St. Thomas à Becket were practising Catholics, and never dreamed of supporting any other religion. It is enough, then, that, the action of the tyrant should be directed against some article, however insignificant, of the Church's official

teaching, or even against some virtue which the martyr is upholding, on the ground that it is a Christian virtue. (Thus St. Telemachus, if I remember right, was martyred because he protested against the inhumanity of the gladiatorial shows.) But even when you have made that qualification, the terms of the definition are still cumbrous; and though Pope Benedict XIV, in his classical treatise on martyrdom, makes use of it throughout, it is difficult not to feel that he is embarrassed by his own choice of language.

Thus, it may be asked, what we are to say if the tyrant is quite honestly misinformed; if he really thinks the martyr guilty of some crime falsely alleged against him by his enemies? It is possible enough that there were judges and juries who were genuinely taken in by the lies of Titus Oates. In that case, you have to say that the *odium fidei* resides not in the tyrant, but in his informants. Again, Pope Benedict XIV expressly allows that the tyrant's hatred for the faith need not be explicit; he may mask it under the cloak of politics. It is interesting to note here that he gives that principle a very wide scope. He devotes, for example, a whole paragraph to Mary Queen of Scots; and declares his conviction that if her cause ever came up for consideration she might quite possibly be beatified.¹ He treats it as a self-evident fact that Elizabeth's persecution of Mary arose entirely from the fact that Mary was a Catholic. When the dynastic conditions of the times are remembered, it is difficult not to feel that Elizabeth's defenders might at least plead mixed motives in such a matter as this.

But the question naturally suggests itself—granted

¹ Appendix to the *Treatise on Heroic Virtue*, Section 44.

that the mere *pretence* of political motives does not excuse the tyrant from his guilt, or rob the martyr of his crown, what of that unconscious dishonesty by which, as a matter of observation, so many of our motives are obscured? You refuse a beggar sixpence because (you say) he would only spend it on drink—is that your real motive, or your sole motive? We are so much the slaves of our own mental habits, that it is often really difficult to know. Is it not possible that the tyrant, who has the excuse of political considerations ready to hand, may sometimes really persuade himself that such considerations are weighing with him more than any other? And if the tyrant persuades not merely the public but his own conscience that his grounds for action are political, not religious, what becomes of the martyrdom then? I cannot find that Pope Benedict makes any allowance for such tortuosities of the human conscience; but surely they are common enough.

And indeed, the case may be stated more strongly. Is it really possible to hate the Catholic faith? The philosophers tell us that it is impossible to will anything evil except *sub specie boni*, under the appearance of some imagined good. That surely means that you cannot wish harm to the cause of Christ unless you think that cause inimical to some other end which you are pursuing under the impression that it is a good one. The thing becomes plainer if you examine the persecutors of the Church one by one. Whatever be said of the other Roman Emperors, it can hardly be doubted that Marcus Aurelius persecuted the Christians because their ideals conflicted with his own ideals of a fine old hearty Roman patriotism. He may have been wrong in thinking so; but unless I mistake the man altogether, he did really

think so; he was not merely bluffing for the benefit of the public. The motive must have presented itself to his mind not as a mere negative hatred of Christianity, but as a positive love of the Roman tradition. Take a less reputable instance, King Henry VIII. The poet Gray alleges, in a line which touches the high-water mark of comedy, that 'Gospel-light first dawned from Bullen's eyes.' Well, of course it did. Henry didn't merely hate the Papacy through some morbid complex; he wanted to make an honest woman of his mistress, and that seemed impossible without quarrelling with the Papacy. Even Anne Boleyn was an imagined good. Or think of Lord Burghley, who is quite as deeply implicated in the English martyrdoms as the vulgar harridan he served. I doubt if he hated the faith (which he professed with admirable exactitude under the reign of Queen Mary) nearly as much as he loved the spoils of the monasteries. In our own day, I fancy that Lenin did honestly regard religion as the opium of the people; he only hated Christianity because he saw in it an obstacle to revolutionary Socialism; so that his positive impulse was less religious than political.

I suggest, then, without any wish to criticise established formulas, that the phrase *propter odium fidei* is in some ways an unfortunate one, because it suggests an almost inhuman transparency of motive on the part of the persecutor. And I would shelter myself behind the authority of Billot, who in his treatise on Baptism discusses the whole theology of martyrdom without using that questionable phrase at all. He tells us, instead, that a martyr is one who is killed by a tyrant *propter causam Christi*, for Christ's cause, in Christ's quarrel. And, to prove that this alteration of language

is not unintentional, I would draw attention particularly to one statement he makes. *Quidquid sit de fine operantis, sufficit ad martyrium si finis operis involvat oppressionem christianæ religionis*; 'Whatever may be said as to the end contemplated by the agent, it is sufficient for martyrdom if the end of the action involves oppression of the Christian religion'; and he cites, in proof of this, the Roman Emperors, who, he implies, had primarily a political end in view.¹

If you accept that definition, then it is not important to decide whether the English sovereigns who persecuted Catholics were masking religious hatred under a political guise, nor even whether, in their minds, religious considerations predominated over political considerations. Whatever may be the truth about the end which presented itself to their minds, it is perfectly clear that they set before themselves a policy which involved the oppression of the Catholic religion. They did not merely make it a treasonable offence for a priest to come over to England—that might be a political measure; they made it an added offence for him to say Mass. And that addition shows, without any possibility of doubt, that it was part of their policy to make the Catholic faith die of inanition. Very well, then, we can proceed; for the purposes of this quasi-Sacrament the quasi-ministers had the wrong, that is to say the right, intention.

And now, what of the intention on the other side? Not everybody who dies in Christ's quarrel is a martyr. A soldier, for example, who takes up arms in a just war, though it be definitely a war of religion between Catholics and Protestants, does not, if he falls, achieve the baptism of blood. The martyr must not be guilty of provoca-

¹ *De Sacramentis*, Q. 66., Th. 24.

tion; it must not be possible to say of him that he was only killed because he did not succeed in killing the other man first. Of course, you will find rhetorical phrases which give the title of martyrdom in these cases. But, without wishing to detract for a moment from the credit which such military heroism often deserves, we must make it clear that non-resistance belongs to the essence of martyrdom; those who take the sword, our Master has warned us, shall perish with the sword. Benedict XIV is so strong on this point that he condemns as spurious the Acts of St. Proculus—St. Proculus is represented as having been condemned to death because he assassinated a persecutor of the Christian religion. The only exception to the rule given above is in favour of soldiers who, made prisoners of war, have been offered the alternative of death or apostasy; St. Louis mentions an occurrence of this kind in the course of his Crusade. Such prisoners, according to Benedict XIV, are *positi in novo rerum statu*; they have acquired a fresh status as unarmed, because disarmed, champions of the faith.¹ By the usages of war, they do not deserve death as soldiers; it must be presumed, therefore, that they meet death as martyrs.

I cannot find that the Appendix to the Treatise on Heroic Virtue considers the case of those who, without positively carrying arms in the Catholic cause, are nevertheless concerned to promote the Catholic cause by political activity. It is evident that anyone, priest or layman, who should be proved to have plotted the death of a persecutor—of General Obregon, for example—would be no martyr. But even short of that—supposing that a Catholic could have been proved guilty of plotting,

¹ Appendix to the *Treatise on Heroic Virtue*, Sections 116 sqq.

even without bloodshed, the deposition of a prosecuting sovereign, his title to martyrdom would evidently be precarious. And it was, I fancy, with full consciousness of that distinction that so many of our martyrs were put to the ordeal of the Bloody Question, were asked whether they thought it lawful in any circumstances to take up arms for the Pope against the Queen. That the expedient was constitutionally monstrous, is admitted even by Protestant historians. That, from the theological point of view, it was nugatory, becomes obvious upon a moment's reflexion. For the device was employed only to raise *additional* prejudice against the accused; even where it was not employed, a detected priest could be, and often was, condemned to death. Clearly, then, the main charge which led to the condemnation must be found elsewhere. Even assuming that the deposing power was in fact a usurpation, the martyrs who upheld it, or refused to deny it, were martyrs still. They suffered, not for this opinion, which after all might be held in good faith, but for their status as seminary priests, and for their action in celebrating Mass contrary to the law.

It is worth while to observe that Rome shows an admirable caution in this respect. Father Garnet, whose interrogators contrived to suggest that he was privy to the hatching of the Gunpowder Plot, has not been beatified, and his case is held over until positive evidence can exculpate him. It is not denied that certain Catholics did, at various times, cherish revolutionary schemes; and, if they were apprehended when so engaged, and condemned upon that ground, there is no question of their beatification. Whatever provocation, whatever justification they may have had, they were political agents, and therefore the crown of martyrdom

does not belong to them. It is principally, I take it, the difficulty of distinguishing between such political agents and the men who came over to England simply to keep the faith alive, that makes the cause of the English martyrs so cumbrous and so protracted.

The purpose, then, of this whole course of lectures is to define, with the greatest possible accuracy, the position of those Englishmen whom we reverence as martyrs during the days of persecution. On the one hand, we have to show that they fell victims to an organized policy on the part of the English Government; a policy which was not content to single out as traitors those against whom treasonable designs could be proved, but deliberately included under its penal definitions those who were priests, as such, and those who said Mass, for that precise reason. On the other hand, we have to show that those whose names we actually honour were men against whose civic loyalty nothing was ever proved by a reasonable process of law; or, alternatively, that although such aspersions may have been cast upon them, their enemies did not condemn them upon that ground, and showed their intentions in the matter by offering them a choice between death and apostasy. Once these facts are established, it is a matter of faith with us Catholics that the men who so encountered death were martyrs in the traditional sense of the term, and that their deaths, all stains of their previous worldly conversation notwithstanding, was the immediate prelude to a life of everlasting felicity, in which they plead, please God, efficaciously, for the triumph of the faith they loved, and the restoration of our country to the unity of God's Holy Church.

II

THE RELATION OF CHURCH AND STATE IN THE MIDDLE AGES

BY THE VERY REV. BEDE JARRETT, O.P., M.A., S.T.L.

THE problem of our martyrs included, for many of them, the problem of adjusting the relations of the Church and the State. It must be remembered at the start:—

1 That the difficulty of adjusting these relations is a wholly Christian difficulty; and

2 That it is impossible to devise a formula which shall clearly solve this difficulty in practice.

That the difficulty is wholly Christian can be seen if it be remembered (using the words in their present-day sense) that to the pagan his State was his Church, and to the Jew his Church was his State. In either view there were not two powers but one. The Jew considered God to be the head of the State; the pagan made the head of the State into a god, *i.e.* he deified his ruler, Caesar, Alexander, Pharaoh, seeing in him the divine guardian spirit of the State. For the Christian, however, the problem was much more delicate, since he was brought up to look on both the Church and State as divinely authorised powers and to believe that the authority of both was from God.

At the beginning of the preaching of the Gospel this difficulty at once arose, due in part to an anarchical

spirit amongst some of the early Christians. The New Testament, therefore, contains many passages insisting on the necessity of obedience to the civil power (1 Pet. ii. 15, 16, Gal. v. 1, 2, Cor. iii. 17, 1 Thess. iv. 10, 11 and v. 4), and Our Lord is deliberately described as teaching and practising obedience to the civil power.

The reasons for the presence of this spirit of revolt in the primitive Church were probably two:—

(a) Most of the first Christians must have been converts from Judaism; after being liberated from the law, they tended naturally to throw over every law. Even St. Paul wrote at times like a schoolboy who had broken loose from discipline, with his joyous exaltation in the freedom wherewith Christ had made him free. He spoke of his early Judaism as a 'pedagogue' or 'school-master' to Christ.

(b) The civil authority was actively engaged in persecuting their faith, and this very naturally tended to destroy their respect for its moral claim on them. There must have been many who found it hard to be told by St. Peter to 'fear God and honour the king' when that king was Nero.

Nor was this a passing spirit which the Apostles were able by their teaching and example finally to cast out of the Christian body. We find the Fathers of the Early Church as much constrained, as the Apostles had been, to insist upon the Christian law of obedience to the civil authority. St. Clement of Rome (about A.D. 80) went out of his way to describe civil rules as 'those whom God has given men to honour' (Lightfoot, Vol II, sect. 61); St. Justin Martyr (A.D. 150) in his Apology for Christianity defended it from the charge of disloyalty by saying: 'Christians pay

taxes and serve their rulers' (Apol. I, 17, p. 21, Ante-Nicene Library, 1867). Indeed it will be remembered that the explanation put forward by the Emperors for their policy of persecution was that the Christians were the enemies of the human race. By this they meant that the Christians desired to overturn society by refusing to acknowledge the divinity of the State.

But this problem became even more complicated when, by the decree of Constantine in 305, Christians were allowed freedom of worship, and when the Emperor himself became a catechumen. The difficulty now was no longer the simple difficulty of heroic obedience to a persecuting government, but of adjusting obedience to two authorities which were both interested in the application of the moral law of Christ to life. It seemed at first as though the relationship of the two powers to each other was clear enough. According to Rufinus (*Ecclesiastical History* I. 2, P.L. XXI, p. 468) the Emperor himself at the First Council of Nicæa in 325 stated a formula which sounded simple and direct, namely, that the Church judged the State for, referring to the bishops, he said: *Et ideo nos a vobis recte judicamur*. Moreover, Hosius, bishop of Corduba, the president of the Council, according to St. Athanasius (*History of the Arians, Nicene Fathers*, Vol. IV, sect. 44, p. 286) wrote later to the Emperor Constantius, insisting that the Church could not tolerate in its spiritual workings the interference of the State.

But as the points of contact and opposition developed between the two sets of rulers in Christendom, and the statements and defence of both parties to the dispute grew into a considerable body of literature, we can trace the gradual emergence of two questions that

perplexed thinkers, namely; first, what were the origins of the power of the State, and secondly, what was to be the relation of the Church to the State in virtue of its origins.

In regard to the first point of the discussion, it was soon discovered that civil authority was needed because man had sinned; whatever might have otherwise happened, the world was inhabited by men whose nature was tainted: were it not so, they would always follow the path of reason in their actions, there would be no crime and no need for restraint or punishment, no need for the interference of the State in their way of life. That this view of the origin of the State as due to sin was reached early by Christian thinkers was due to the prevalence in Rome of the Stoic philosophy, for the Stoic philosophy seemed to postulate the doctrine of the Fall. It carefully distinguished between what was 'natural' and what was 'conventional'; this was interpreted by the Fathers as implying a difference between the nature of man and the shifts man was put to, once he had sinned, in endeavouring to deal with circumstances which broke the harmony of his nature: by nature men were equal, and no one was needed to command, by convention authority was needed to keep nature in order since nature now would not do what it should. Thus, later, St. Augustine (*de doctrina Christiana* P.L. XXXIV, I. 23, p. 27) said: 'The desire to be master of your fellow men is intolerable pride, for men are by nature equal.' He did not mean that the desire only was wrong, but that the commanding of one by another was wrong, in the sense that it was produced by wrong and contrary to original nature. Thus more clearly in the *City of God* (Bk. 19, ch. 5-28: the chief

source whence the Middle Ages quoted his authority on this matter), he wrote: 'God did not mean that one man should rule over another man, but only over irrational creatures. Hence good men are known rather as shepherds of the flock than as kings of men.' (*P.L.* XLI. p. 643.) (The reference to the Homeric title of the Greek kings will be recognized.) A century and a half later St. Gregory the Great almost repeated the very words of these two passages from St. Augustine: 'Pious rulers judge rather their natural equality than conventional lordship, for our Fathers were rather Shepherds than Kings, for man was not created to rule men but beasts.' (in Job xxi. 15). To this he added the 'tag' that had been brought into Christian literature by the Stoics: 'Nature brought forth all men to be equal.' (*P.L.* LXXVI, p. 203.) This opinion, expressed in their political philosophy, is unanimously accepted by the Fathers; civil authority is necessary, for man has sinned. Had he not sinned, he might still have needed government to develop his *bene esse*; he needs it now, however, to secure even his *esse*. Had man not sinned, society would have been the better for government, namely of the lesser minds by the greater; but now it is not a question of being better, but of being at all.

But it was seen that this principle, too rudely stated, might be interpreted to mean that civil authority was sinful in its nature. Hence simultaneously another principle was equally early enunciated, namely, that civil authority was not only a remedy for anarchy, necessitated by sin, but that it was a divinely instituted remedy. Hence, though needed because man was a sinner, its nature was not evil but good: 'it is not the

devil who has appointed the kings of the world but God' (St. Irenaeus A.D. 180. *Adv. Haeres*, V, 24, 1853. Leipzig, p. 781).

This insistance upon the divine authority of civil government, which we have already seen to be the scriptural tradition, is no less patristic: 'All honour and obey the Emperor, for in some sense he receives authority from God' (Theophylus *ad Autolicum*, XI, p. 61, ante-Nicene Library, 1867) and even more strongly 'The king is therefore revered on earth as the Vicar of God' (*adoratur in terra quasi vicarius Dei*, Ambrosiaster. *Quaest de Vet. et Nov. Test.* xci *P.L.* XXXV, 2284; cf. also Sedulius Scotus, *De Rectoribus Christianis* 19, *P.L.* CIII, 329). So again later, the same idea is evident in the phrase of St. Thomas Aquinas, in which he speaks of kings as 'ministers of divine providence' (*Summa Theologica* II. II, 99. 1. ad. 1^m). The first problem was solved, therefore, when the traditional political science of Christendom determined that the state or prince had a divine authority because the civil power was a divinely invented remedy for the social mischiefs caused by sin.

The second problem then grew out of this, namely, to settle the relationship of this divinely established civil authority to the Church. But why should there be any relationship? Why could not the powers of each be exercised independently of the other?

We have already stated that the problem of this relationship was complicated by Christianity; and the reason for this complication is simple enough. When, for instance, the Fathers were writing or speaking on the subject of civil government, they had in mind not merely the ruler or group of rulers, but also the laws

of that group or ruler. Thus, for instance, when St. Augustine was discussing the idea of the State, he accepted as valid the definition of it given by Cicero in his *de Republica*, namely, that it is 'not any mob assembled together, but an assembly associated in common obedience to law and in common association of mutual advantages': again 'it is a reasonable multitude in peaceful enjoyment of what it loves.' Consequently St. Augustine taught that law was the voice of authority promulgated to the people in order that, by it, the people might be directed against their natural greed, to the proper end of their existence. Thus governments existed to remedy sin, and the passing of laws and the carrying out of laws were the means whereby governments did actually remedy the social mischiefs of sin.

Hence we come to the important point assumed by the whole of the Middle Ages. St. Augustine agreed with Cicero that justice was essential to the social bond, and that an unjust state had no authority, for, if it were unjust, the reason for its existence would be gone: 'Where there is no justice, there is no State' (Bk. XIX, cap. 21-24, repeatedly) was a sentence he very often quoted. He even urged for this reason that no pagan state could be a real state: 'justice cannot be predicated of pagan states since they do not render justice to God.' The Christian, therefore, was bound to suppose that government existed to remedy the defects of sin; that this remedying was effected by laws; that these laws were to be passed by civil authority; and that laws to fulfil this purpose must be just. But what are just laws? or rather, who is to determine which laws are just? To ask this question in the

Middle Ages was to receive only one possible answer—the Church! Justice was an ethical matter; it must be referred to the Church to determine it, and the Church, therefore, might have to sit in judgment on the laws of the State and declare whether or no they were laws at all.

Yet, we must repeat, it was already accepted as a Christian maxim that the authority of the State over its subjects was from God; both Church and State were divine institutions; both were needed because of human sinfulness. They were both (the Church obviously as much as the State) divinely planned remedies for the mischief of sin, and Emperor and Pope were both, in their respective spheres, Vicars of God. Thus. St. Optatus in his controversy with the Donatists (*de schism: Donat. P.L.*, XI. III. 3, p. 999) appealed to the imperial authority as having a divine sanction, in fact at the time having a power wider in its incidence than the Church: 'for the State is not in the Church, but the Church is in the State. Over the Emperor is only God' (cf. Sedulius Scotus. *De Rectoribus Christianis* XIX. *P.L.*, CIII. 329). The kings themselves in their style and title claimed the same immediate relationship between their authority and God: *Gratia Dei rex* or *Per misericordiam Dei rex* (*Journal of Theological Studies*, April-July, 1901).

Yet though the Emperor was thus established by God, and over him was 'only God,' it was apparent that in some sense the Church was over him. Constantine had declared it at Nicaea. St. Ambrose wrote to remind the Emperor Valentinian (*P.L.*, XVI, p. 1,046, sect. 4): 'For who would venture to deny that in matters of faith it is the Bishops

who sit in judgment over Emperors and not Emperors who sit in judgment over Bishops.' Thus again Pope Gelasius had insisted: 'The Emperor is the son and not the sovereign of the Church' (*ad Episc. Orientales*, *P.L.*, LIX, Ep. XV. 95, cf. Ep. VIII 41). St. Gregory the Great, who had been an official of the Empire before he became an official of the Church, and knew the principles of either Chancellory, laid down the general proposition that in matters of faith he had complete independence of the Emperor, and in matters of discipline, 'if what he does is according to the Canons we will follow him; if it be contrary to the Canons, then so far as may be without sin we will bear with him' (*P.L.*, LXXVII, Lib. XI, sect. 47, p. 1,167, cf. also pp. 663 and 1,311). This tenderness of Gregory to the civil authority (which however strongly expresses his consciousness of his power as well as his reluctance to use it) was due no doubt to his living in the era of the 'invasions' and his dislike of doing anything to weaken the authority of the central State.

Moreover, there was in this involved relationship of Church and State a third factor¹ accepted in the Christian polity, namely, that the ultimate legislative authority was the people (not the source of authority, for that was God, nor the ultimate executive authority for that was to be nominated or elected or accepted by the people, but the ultimate legislative authority). In medieval political philosophy, the people had the right (and even by their submission exercised it) to elect and confirm the government, and to pass or accept the laws. Archbishop Hincmar in the ninth

¹ Cf. Filmer's *Patriarcha* (I, 1, 2, ed 1680): 'Cardinal Bellarmine and Calvine both look a-squint this way.'

century (*de ordine Palatii VIII*, M. G. Legum, sect. II, Vol. 2. Cf. his letter to Charles the Bold, *P.L.*, CCXXVI, p. 96) took this for granted.¹ Two centuries later Gratian repeated it as the tradition of Canon Law: 'Law is instituted when it is promulgated, but confirmed when approved by the custom of those who use it' (in Dist. 4, pt. 3, *P.L.*, CLXXVII, p. 35). The same doctrine was implied in the royal coronation oath. By it the people confirmed government and law. Pepin's coronation, for instance, performed at Soissons in 752 by St. Boniface, the Englishman, was performed according to the Anglo-Saxon ritual; what that ritual was later we know. When Edgar was crowned by St. Dunstan at Kingston the ceremonial of 973 included this oath which was taken by the king:

In the name of the Holy Trinity, I promise three things to the Christian people and my subjects: first, that God's Church and all Christian people of my dominions hold true peace; the second is that I forbid all robbery and unrighteous things to all orders; the third, that I promise and enjoin in all dooms justice and mercy, that the gracious and merciful God of His everlasting mercy may forgive us all, who liveth and reigneth. (Thurston, S. J., *Dublin Review*, July 1911, pp. 1-20.)

In England the oath was deliberately altered when it was tendered to King John in order to make it even more of a compact, mutually binding king and people. At the accession of Edward II it became stabilised in a form which lasted almost unchanged till the reign of Charles I, when it was translated into English.

¹ Cf. Jonas of Orleans *De Institutione Regia* (*P.L.* CII. 279-305), *De Institutione laicali* (121-279); Smaragdus *Via Regia* (*P.L.* CVI. 931-971).

Archbishop. Sir, Will you grant and keep, and by your oath confirm to the people of England, the laws and customs granted to them by the Kings of England, your lawful and religious predecessors; and namely the laws, customs, and franchises granted to the clergy by the glorious King, St. Edward, your predecessor, according to the law of God, the true profession of the Gospel established in this Kingdom and agreeing to the prerogative of the Kings thereof and the ancient customs of the realm.

King. I grant and promise to keep them.

Archbishop. Sir, Will you keep peace and godly agreement entirely according to your power, both to God, the Holy Church, the clergy, and the people?

King. I will keep it.

Archbishop. Will you, according to your power, cause law, justice and discretion, in mercy and truth, to be executed in all your judgments?

King. I will.

Archbishop. Will you grant to hold and keep the laws and rightful customs which the commonalty of this your Kingdom have, and will you defend and uphold them to the honour of God, so much as in you lieth?

King. I grant and promise so to do.

Now there are two points for our purpose to be noticed in these oaths and the catechism that preceded them,

(i) that they give a contractual idea of kingship both to the king, and to the people, so that the obligation of the people in their allegiance to the king was to be measured by the fulfilment by the king of his duties to the people

(ii) that these oaths, taken before an altar and to a bishop, were sacred, and therefore, fell under the jurisdiction of the Church, whose province included all sacred things.

Thus the Church (Pope or Bishop) claimed to have the power to judge oaths, *i.e.* judge whether what had

been promised had been carried out or not. The Church did not depose kings but declared whether or no the people were automatically released from the obligation of allegiance to them on the grounds of the non-fulfilment by the kings of their half of the contract (cf. *Decretum*, causa XV. 9.6. c. 2. p. 983; Stephen of Tournai *Summa Decret.*: causa XV. 9. 6. c. 2. auctorit.: iii: note that St. Pius V spoke of his bull of excommunication as a *declaratory* act).

We can sum up what we have said so far of the medieval theory of the relationship of the two powers,¹

- (i) Both Church and State receive their authority direct from God.
- (ii) The State exercises its authority after a contract between king and people which is blest by, and in the keeping of, the Church.
- (iii) The State uses its authority to fulfil the purpose of its existence, namely, to remedy the social disorder caused by sin and to secure moral order in the community.
- (iv) The Church's determination (or definition) is needed to declare what that moral order should be, and consequently may be called in to judge the moral value of the civil laws.

These principles had been generally accepted by the time that Christendom had settled down to a more or less fixed system; but feudalism broke across these principles by introducing another concept. Under feudalism, the bishops had become barons; but a baron cannot judge his superior lord. As long as Churchmen were

¹ Hugo de S. Maria *Tractatus de Regia potestate et Sacerdotali dignitate* (P.L. CLXIII., 939-976).

purely 'spiritual persons,' their position was clear; once they had also become 'temporal persons,' their position was nothing like so clear. They were no longer merely part of a 'universal sovereignty' but had relations to local sovereignties as well.

We see immediately following a series of confused quarrels:

(1) Thus in the custom of the Anglo-Saxon people, Bishop and Ealdorman sat side by side in the courts and judged all cases that came to them. In theory, the Bishop was sole judge of the clergy in criminal cases, and even of the laity in certain cases against religion and the state: but because the two powers did sit together they gradually drifted into both trying every case that came. William I changed this and separated the courts; he ordered the Bishops to follow the 'episcopal laws,' *i.e.* the canons of councils, decrees of Popes, maxims of ancient Fathers, *etc.* Yet when Gregory VII (who had invested Duke William of Normandy for his conquest of England with a banner), asked for feudal homage from the new king, William refused to admit that he owed any feudal subservience to the Pope, and even protested that between the Church in England and the Roman See he was the mediator, so that all papal bulls were to be denied entrance into the kingdom till he had overseen them. While he separated Church courts from lay courts, he claimed to be feudal head of the Bishops; equally he claimed to appoint the Bishops because they were also barons, attended as by feudal obligation his *magnum consilium* and owed him military service. As barons they owed the king homage for their lands and fealty for their persons, and for that reason later kings

claimed the right to invest them even with the symbols of their ecclesiastical office.

(2) Such a confused system as feudalism made of the situation, could only work, as the cases of Lanfranc, Anselm and Becket showed, when archbishop and king were in harmony, else the opportunities for quarrel were endless. On the point of the investiture of the Bishops, under St. Anselm and Henry I in 1106, a compromise was reached which became a model for the rest of Europe:—*homage* was to be paid before consecration, *fealty* after consecration, and *investiture* was renounced by the king.

At the Council of Worms on September 22nd, 1122, the Pope and Emperor agreed to the same compromise which now became the law of Europe. It was contained in two short documents:

I, Henry, for the love of God, the Holy Roman Church, the Lord Pope Calixtus [II], and of the salvation of my soul, abandon to God, the holy apostles Peter and Paul, and the Holy Catholic Church, all investiture by the ring and the crozier, and I grant that in all the Churches of my Empire there be freedom of election and free consecration. I will restore all the possessions and jurisdictions of St. Peter which have been taken away since the beginning of this quarrel. I promise to give true peace to the Lord Calixtus and to the Holy Roman Church whenever she invokes my aid.

I, Calixtus, the Bishop, grant to Henry, Emperor of the Romans, that the elections of bishops and abbots in the Kingdom of Germany shall take place in thy presence without simony or violence, so that, if any discord arise, thou mayest grant thy approbation and support to the most worthy candidate, after the counsel of the metropolitan and his suffragans. Let the prelate elect receive from thee by thy sceptre the property and immunities of his office, and let him fulfil the obligations to thee arising from these. In other

parts of the Empire let the prelate receive his regalia six months after his consecration and fulfil his duties arising from them. I grant true peace to thee and all who have been of thy party during the time of discord.

(3) This quarrel being settled, another began, the difficulty which separated St. Thomas Becket from Henry II, the difficulty of 'the criminous clerk.' According to the determination of William I, the Church was to try cases which *ad regimen animarum pertinent*, i.e. all cases of clerks, except land questions (whether frankalmoyne or lay feofs), all criminal cases of the laity that touched the *placita Christianitatis* (i.e. oaths, debts, probate, adultery, divorce, etc.) and all cases of criminous clerks. In these cases Becket claimed that once they had been tried by the Church and judged guilty and degraded, they had received sufficient punishment. Henry, on the contrary, claimed that the civil courts should deal with a degraded cleric and sentence him to a punishment of the civil code for the very same crime for which he had been degraded by the spiritual court. According to the Constitutions of Clarendon of 1164, the procedure was to be:—

- (i) The accused to be taken to the lay courts and there to plead his clergy.
- (ii) He was then sent to a Church court with a royal official to watch the case.
- (iii) If found guilty he was to be degraded by the church court and brought back to the lay court for another trial and sentence.

Becket opposed this procedure:—

- 1°. The cleric had no right to go to the lay court.
- 2°. No royal official should come into the church court.

3°. No man should be punished twice for the same crime.

It was the contention of the king that since the clerical criminal code did not include the death-penalty, there was no adequate deterrent to prevent the cleric from committing a grave crime. Certainly this particular contention of St. Thomas was abandoned by Pope Innocent III. (cf. Pollock and Maitland, pp. 437-438, *etc.*). However, this quarrel was not really about the relations of Church and State, but the relations of a cleric as a citizen to the State, which is a rather different point. Certainly the immunity of clerics or at least of bishops from the civil courts was as old as the days of Constantine, and was part of the public imperial law of Western and Eastern Rome.

(4) Again, besides investiture and the clerical immunities, another point of discussion between Church and State was the claim of the Pope to confirm the Emperor or of the Emperor to confirm the Pope. Certainly in times of disputed elections either to papacy or empire, the disputing claimants were usually willing to acknowledge some suzerainty on behalf of the other 'universal' power. Certainly Popes like Leo III and Leo IV had submitted to imperial confirmation, the one to Charlemagne in 800, the other to Lewis II in 853; again under the Ottos, there were a succession of German popes who owed their elevation to the papacy to imperial nomination. But then it was equally true that Charlemagne's imperial title came to him from the Pope—he told Eginhard against his will; also it was true that the Popes had later transferred the imperial title from the Frankish Carolingians to the Germanic Ottos. These were equally public facts of

Christian history, and had to be taken into account as much as the imperial confirmation of some of the Popes. It was inevitable that any disputed election would be referred to be settled by the other 'universal sovereignty,' as long as in the public theory of Christendom there were two universal sovereignties, which between them settled the government of Christianity.

The only trouble that arose from this system was that Pope or Emperor who found the opposing 'universal sovereign' awkward or truculent, were tempted to trump up some charge of illegality or of an uncanonical act on the part of their opponent in order to declare his possession of his throne or chair null and void. When there had been no disputed election, one was invented by declaring the last election to have been for some reason invalid.

In the confusion of these long quarrels, the position of Innocent III, who was famous as a canon lawyer before he became Pope, was stated calmly and judiciously and with great clearness. What he taught seems to have been the legal theory of his day. He said:

- (i) 'We do not exercise any temporal jurisdiction except indirectly' (IV. 17. 3). Hence when he annulled the election of Philip of Suabia and confirmed Otto IV in the imperial dignity he announced that his legate was a *denunciator* and not an *elector* (Decretals i. 6. 34). He did not claim to be able to override the law of the Empire, but only to judge whether or no it had been observed.
- (ii) 'We do not intend to judge concerning the fief, for that judgment belong to him' (He is

referring to Philip Augustus as feudal sovereign over Richard Coeur de Lion for certain French provinces he ruled when that prince appealed against Philip's action to the papal court (Decretals II. 1. 13). He denied, therefore, that he had any feudal jurisdiction except over his personal feudatories who held their lands from him as Pope—for instance, the kingdom of Sicily.

(iii) He ordered the Bishop of Vercelli to declare null and void letters purporting to come from him which infringed the rights of the civil courts of Vercelli.

(a) because he would only interfere on appeal,

(b) because the imperial dignity was at that moment vacant (Decretals II. 2. 10.) cf. also the attitude of Alexander III in a similar case.

(iv) He did claim to be able to decide whether a matter did or did not fall under the cognizance of the spiritual authority (IV. 17. 3).

Consequently though Pope Innocent III did claim to have authority over the whole world, he did not mean by that a feudal authority, nor directly a temporal authority, but a spiritual authority; and because the spiritual was higher than the temporal, he declared his power was higher than the imperial power. In fact, it certainly was.

But we can see rather more clearly perhaps what Innocent meant if we make use of a distinction employed by Rufinus, a thirteenth century canonist, who

speaks of the Pope's supremacy as a *jus jurisdictionis*, and not *jus administrationis*. It is clear that what Rufinus was thinking of was a supreme spiritual ruler who did not interfere with or take charge of the temporal administration of emperors or kings; but who, nevertheless, because he was the supreme spiritual ruler has not merely precedence over, but a fatherly jurisdiction over, emperors and kings. He was never their ruler in things temporal, but sometimes their judge. Thus again at the end of the thirteenth century, though St. Thomas in his *Quodlibets* (XII. 13. 19. ad. 2m.) speaks of kings as 'vassals of Church,' he did not mean by this that kings were the temporal subjects of the Church. No one could put more clearly the sovereign independence of the princes or states than he did. One passage particularly is most significant. It comes in his commentary on the Book of the Sentences. There he lays down the normal medieval doctrine that both spiritual and temporal sovereignties are from God. Therefore, he argues, each is subject to the other only in those things in which God has made it subject: 'Thus the secular authority is subject to the spiritual authority in those things which concern the salvation of souls: in these we must obey the spiritual rather than the secular power. But in those things which belong to the civil good of society, the secular authority is to be obeyed rather than the spiritual (*est magis obediendum potestati sæculari quam spirituali*) according to Matt. xxii. 22 "Render therefore to Caesar the things that are Caesar's" (II. Sent. dist 44, Q.2 A.2, ad 4m).'

Of course it was a very easy step that any individual Pope might take, to pass from being a judge into being the executor of justice, to determine, and then, failing

other means, to take political steps to carry out what had been determined.¹

This was particularly apparent with the later Popes who in their quarrels with the later emperors claimed a power and immunities that the older Popes did not claim. In some degree perhaps this was due to the evident collapse of the Empire and to the not so evident rise of the new nations. France had, since Charlemagne's division of his kingdom, made the universal claims of the emperor seem a pretence. Even a weak English king, Edward II, said without challenge: 'The kingdom of England is entirely free from all subjection to the empire.'

Later again Marsiglio of Padua, in the long fight that raged between his master, Lewis of Bavaria, and Pope John XXII, defended the emperor, indeed, but with two-edged tools. He brought in the third element in the medieval polity to balance the other two. He considered any particular form of Church government, papal or conciliar, to be a mere matter of expediency; the priesthood was a divine institution, but neither episcopacy nor papacy were divine. Nor however was the emperor's office a permanent one necessarily; he was the mere instrument of the legislative authority which was the people. These should fix the number of men allowed to each trade, profession, or guild in the State, and consequently should determine also the number of priests to be employed. Occam, who agreed with Marsiglio, did not agree, however, with the emperor's assumption of spiritual powers (Lewis claimed

¹ S. Catherine of Siena (Letters. p. 131. London, 1905): 'For ever since Holy Church has aimed more at temporal than spiritual things matters have gone from bad to worse.'

the right to divorce a validly-married couple) and taught that in the last resort the Pope must be left to supply the deficiencies of the emperor. He did admit, that is, as essential to Christendom that in the Pope lay, as an ultimate source of order, the 'plenitude of power,' demanded by the Papalists (cf. pp. 23 and 26, *De Imperatorum et Pontificum potestate*, Oxford, 1927). For him the Pope was a final court of appeal.

On the other hand, the Papalists laid more stress in the distinction of Rufinus on the *high jurisdiction* of the Pope than on his lack of administrative power. Consequently they argued that since the spiritual power was higher than the temporal power, the spiritual power conferred on the temporal power its proper jurisdiction; the jurisdiction of the princes was, therefore, legitimated by their public recognition by the Church. No doubt the words of Innocent III in which he called his legate a *cognitor* could be so interpreted, and no doubt in certain historic instances the papal recognition of a prince had been of great assistance to him, but there were numberless cases in which this recognition had had no public effect, and in which even the excommunication of a candidate had not affected the loyalty of his subjects to him. Elizabeth's case, had it been only one of contumacy, would not have lacked parallels in medieval history (cf. R. L. Poole, *Illustrations of Medieval Political Thought*, pp. 254, 255).

Things had by Tudor days moved far however from the time when Bartholus of Sassoferato (one of the most important lawyers of the thirteenth century) had declared it heretical to deny that the emperor was monarch of the whole earth and, when confronted with

a papal bull that opposed this, quoted the reply of his master, Cerio of Pistoja, in a similar case: 'Let it go with the other errors of the Canonists.' Certainly the later declaration of Baldus de Ubaldis in his *Consilia* (228. n. 7. A.D. 1327-1400): 'The emperor is Lord of the whole world and God on earth' (*Imperator est dominus totius mundi et Deus in terra*) must have been mere bombast and in no sense whatever true.

Yet theories take a long time dying, for Vittoria (1486-1544), the Spanish theologian, has still to devote many pages in his book to prove that the emperor was not *dominus orbis*: 'The patrimony of the Church is not subject to the emperor; the kingdom of Spain and the kingdom of France are no longer under his dominion, though the gloss says that this independence is a matter of fact and not of law; doctors even concede that some cities formerly subject to the Empire have succeeded in withdrawing themselves from its rule, which would not be possible if their subjection were of divine right.' He then considered not empire and papacy but the two powers, the *respublica spiritualis* and the *respublica temporalis*, and urged that they could exist side by side, each with perfect control over its own acts, with national governments determining their own organisation and with the Pope holding always the right to determine whether any act of the civil authority were contrary to the moral law or were to the detriment of religion (*De Indis et de jure belli. Relationes*. Washington Institute, 1917).

Of course, besides these continued medieval controversies there were all through these times heresies which attacked the basis of civil and ecclesiastical

government. There were sects which denied the right of government at all. There were teachers, like Richard Fitz-Ralph of Armagh, who were understood to maintain that there could be no civil authority in unbelievers or, like Wycliffe and Huss, that no man who committed mortal sin could be a temporal or spiritual ruler 'because his temporal or spiritual authority, his office and dignity, would not be approved by God' (Pastor *History of the Popes* I. p. 163).

But in the sixteenth century even the feudal claims of the Church over its own territories (a wholly different matter) were being called in question; they had been called in question ever since Marsiglio's day. But the denunciation of the 'Donation of Constantine' by Bishop Reginald Peacock of Chichester (1390-1460) and by Cardinal Nicholas of Cusa (1401-64) was completed by Valla, who, anti-papalist as he was, recognized that the temporal power of the Holy See had come from the free gift of the people: 'We come of our own free will to you, O Pope, and asked you to govern us; of our own free will we go away from you again, that you may govern us no longer' (Pastor I. p. 19).

Very briefly we would sum up the various positions we think need to be remembered:—

- (i) the temporal power of the Pope over his own patrimony was a feudal power: it does not enter into our problem. The Pope did not claim a feudal power over other sovereigns.
- (ii) the middle ages were filled with quarrels between empire and papacy as to which was to be supreme. *Solvitur ambulando*. The empire disappeared.

(iii) the relationship of papacy to the national monarchies was a later problem and revolved round:

- (a) the right to invest the Bishops with the symbols of their office—won by the papacy.
- (b) the right to tax and judge the clergy—won by the national monarchies.
- (c) the right to determine the character of the beliefs of the nation. This was the wholly new problem which John Fisher, Thomas More and the rest had to settle for themselves.

I do not mean that the principles to be used by the martyrs were not coeval with Christianity but that the medieval disputes between Church and State were not of the least use or guide to them. These problems were wholly new. They were solved for us in the end and by the martyrs.

III

THE PROCESSES OF BEATIFICATION AND CANONIZATION

BY THE RIGHT REV.

ABBOT ALOYSIUS SMITH, C.R.L., D.D.

PART I: BRIEF HISTORICAL NOTICE OF DEVELOPMENT

THE Catholic doctrine of the Communion of Saints requires that the faithful of the Church militant venerate and seek the intercession of those who have already attained the beatific vision.

The private veneration of any of the faithful departed is not in any way restricted. But the public cultus, *i.e.* any official act of religion or any external sign proclaiming one as a saint, may be adopted only when the official judgment of the Church has been pronounced in each case. And this is effected by decrees of solemn beatification and canonization, following upon the closest investigation of heroic virtue or martyrdom accompanied by signal favours miraculously obtained by the intercession of the servants of God.

Canonization, therefore, means the final and definitive decision of the Sovereign Pontiff that a servant of God has already entered into possession of eternal happiness, and therefore must be held as a saint throughout the Church.

Beatification is a less solemn declaration of that status of a soul, and the veneration of a 'Beatus' is only permitted and restricted to particular localities or societies.

It is the common teaching of theologians and canonists that the decree of canonization is infallible. The same is not usually taught regarding the judgment of beatification, inasmuch as it is not final, is permissive only, and is not imposed throughout the Universal Church; though obviously the highest reverence is due to the authority of such a decree.

The development of the modern form of process may be very briefly sketched for our purpose.

In the early centuries of the Church, when veneration was shown almost exclusively to martyrs, the approval of the cultus was regulated by the Bishop of the locality in which the martyrdom was suffered, and this, it must be said, was often given expressly or tacitly without close investigation, which, in fact, was obviously not necessary. The 'Vox populi' constituted the important and sufficient witness to the supreme act of heroism for the faith.

The cultus might then spread by the mere report of a notable martyrdom or by letters issued with this intent, as in the example of the 'Epistola de Martyrio Polycarpi.'¹

When, after the days of persecution, others besides the martyrs—confessors and saintly women—came to be honoured in a similar way, a real need began to be felt for episcopal authority to decide and to guard against abuses. The Council of Carthage (401) shows the exercise of authority by drawing a distinction

¹Cath. Encyclo : s.v. Polycarp.

between martyrs of the African Church who had been approved for public cultus or not—*vindicati* and *non vindicati*.

About the tenth century recourse begins to be made to the Holy See with a view to obtaining an official declaration of sanctity, and then in the twelfth century the episcopal exercise of the right becomes restricted, and the examination of causes is entrusted to Councils—either general or local—until we find the explicit reservation of decisions to the Holy See by a decretal of Alexander III in 1170 (c. 1, de relig. et venerat. Ssorum. x. III. 45).

The legislation, however, did not entirely preclude the action of the Bishops in giving approbation for or tolerating the growth of a local cultus of servants of God. A certain amount of freedom continued to be used. Pope Urban VIII definitely established the general rules to be universally observed in beatifications and canonizations. Two decrees on the matter were issued on the 13th March and 2nd October, 1625, which were then confirmed and promulgated to the whole Church in his Constitution, *Coelestis Hierusalem*, 5th July, 1634. In force of this pronouncement no servant of God may receive the public honours of a canonized saint who has not previously been formally declared 'Blessed' by the Holy See after prolonged and careful enquiry. The decree, however, allows an immemorial cultus (*i.e.* of about a century), which has been sanctioned or allowed by Ecclesiastical authority to be confirmed by a decree of 'equipollent' or equivalent beatification without the full formality of a process. Such cases are called *casus excepti*. Thus sixty-three of our martyrs have been beatified by confirmation of a

recognized cultus (*per viam cultus, seu casus excepti*), whilst the claims of the majority are being considered according to the rules of the prescribed processes (*per viam non cultus*).

(2) *The Institution of Processes (The personnel)*

According to present legislation (contained in the *Codex of Canon Law*: can. 1999-2141) the processes which lead up to canonization are reserved exclusively to the S. Congregation of Rites. There are, however, two kinds of process—the ordinary and apostolic.

It is the right of the Bishop, within whose jurisdiction a cause is to be promoted, to institute an Ordinary or informative process, the scope of which is to bring together the material from which the S. Congregation may judge if the cause is to be admitted.

Should the Congregation decide to advise the Holy Father that the cause ought to be considered, the cause is said to be 'introduced,' and then begin the apostolic processes. These also are conducted by the Bishops, but under delegation of the Holy See—and their object is to prepare more in detail the matter for discussion in the S. Congregation.

The processes are carried out on the lines of a strict judicial enquiry—requiring a canonically constituted tribunal in each case.

The cause is first brought forward by an *Actor*—the person, society or corporation, which first obtains the legitimate permission to move in the matter. A postulator is appointed—who makes the formal request to the Bishop to open the process and then undertakes the general promotion and furtherance of the cause to the end. Though one postulator only is allowed, and

he must be resident in Rome, it is his duty to appoint vice-postulators to act in his name in the processes which take place out of Rome.

The tribunal is presided over by one or more judges—in the ordinary process, the Bishops (or his delegates) acting by his own authority; in the apostolic process—the same persons, but delegated by the Holy See.

In the discussions which take place in the S. Congregation the Cardinals act judicially for the preparation of the evidence upon which the Pope alone passes sentence. A Cardinal is appointed by the Holy Father, as relator or ponens (reporter) whose duty it is to provide the full and detailed report of the cause to the Assembly of the Congregation.

A promotor of the faith, commonly called the devil's advocate, undertakes the duties of bringing forward all grounds of objection and of requiring the faithful observance of the prescribed ecclesiastical rules. In the S. Congregation a promotor general, appointed by the Pope, fulfils these duties but he is represented by his delegated sub-promoters in the episcopal courts. The promotor must always be called to every session for the validity of the process. In the event of his failing to be present at any meeting he has the right to examine the account of the proceedings of the session.

For the authentic record and the safe-keeping of the Acts a notary or actuary is made responsible—with assistants, as required and also a chancellor and lawyers or advocates.

All persons officially engaged in the tribunals are required to take oaths of secrecy as to the procedure, and the matter formally treated, to fulfil their respec-

tive duties faithfully—to act throughout according to conscience and without fraud or deception.

The witnesses who are cited to these tribunals are required to give formal answers to a long set of questions (*interrogatoria*) drawn up by the promotor of the Faith, and then to produce evidence upon statements made by the postulator under headings termed *articuli*.

(3) *Procedure*

We will now outline briefly the procedure of each process, taking first the usual course of cases in which public veneration has not previously been shown.

The preparation for beatification goes through three stages.

First, the Bishop by his ordinary authority forms a tribunal over which he may preside himself, or appoint three delegate judges in order to conduct the ordinary processes which comprise the informative process, that *de non cultu* and the *processiculus diligentiarum*.

At the first, witnesses are called to testify to the reputation of sanctity, to prove virtues and miracles or to give evidence as to the martyrdom of a servant of God.

In the second, evidence is given that according to the decrees of Urban VIII, the judgment of the Church has not been forestalled by any form of public veneration, and the *Processiculus diligentiarum* consists of a careful scrutiny of the writings left by the Servant of God.

2nd Stage. The result of this threefold enquiry is forwarded to the S. Congregation, whose official dealing with the matter now in hand constitutes the

second stage of the cause. Here again we have three separate examinations:—

(a) Revision of the writings.

(b) Discussion of the informative process.

(c) Discussion of the process *de non cultu*.

(a) Should the censorship of the writings be favourable, the S. Congregation proceeds next to

(b) the discussion of the informative process, putting forward the question (*Dubium*) 'whether the commission of the cause is to be formed.'

The Promotor of the Faith formulates his objections or criticisms which are answered by the advocate of the cause, appointed by the Postulator General. If in their ordinary meeting the Cardinals decide in favour of the cause, the Holy Father is petitioned to sign the commission for the introduction.

The Secretary of the Congregation prepares a decree to this effect and the Pope signs it in his baptismal name—not in that of his Pontificate.

At this stage the title of venerable used to be allowed to a servant of God. But by a decree of August 26th, 1913—it was decided that the title should be deferred till the papal decree on the heroic virtue or on martyrdom had been issued—which occurs later in the apostolic process. This rule is now confirmed by canon 2084 of the code.

From this point the jurisdiction of the ordinary over the case ceases, and any further action on his part requires the sanction of the S. Congregation.

(c) For the guidance of the members of the Congregation in their deliberations as to the absence of cultus, a *positio* is set before them comprising a full statement of the cause, prepared by the advocate, a summary

of the ordinary process, the objections or difficulties raised by the promotor of the Faith, with the advocate's replies.

A favourable decision is followed by a declaration that the cause may go forward, but no special decree is issued.

3rd Stage. Apostolic Processes. The apostolic process is initiated by the issue of remissorial letters, obtained from the Pope, at the request of the postulator, and sent to the Bishop by the Cardinal prefect of the Congregation. The letters convey the delegation, require the opening of the process within three months, and its completion within two years; unless leave be obtained for an extension of time.

Again in this stage we have a series of important tribunals.

(a) The process under the Bishop's presidency.

(b) Judgment of the S. Congregation as to the validity of that process.

(c) Judgment on the particular virtues in an heroic degree—or on martyrdom.

(d) Judgment on the miracles severally.

(a) The court formed for the process consists of five delegated judges, of whom three must be present at each session; two sub-promotors, the postulator, notary and cursor, or messenger. The eight or ten witnesses are examined according to interrogatories drawn up by the promotor fidei and when miracles are considered, according to questions set by medical experts.

The purpose of this process is to determine the general reputation of sanctity and then to register the evidence of special virtues or of martyrdom, according to the case, and finally of miracles.

A faithful copy of the acts of the whole process is despatched to the S. Congregation.

(b) The Congregation has next to declare its decision on the validity of the process, and in order to do so it is furnished with a *positio*, prepared by an advocate, chosen by the postulator, comprising first, a concise statement drawn from the acts, showing that all rules have been complied with; and secondly, the observations of the promotor, together with the answers of the advocate for the cause.

A discussion is then held in an ordinary session of the S. Congregation as to the validity of both the apostolic and the informative processes. The decision of the Congregation is confirmed by the Pope and published in a decree of validity.

(c) On the question of proof of heroism in the exercise of particular virtues—or of proof of martyrdom—three sessions are held: that called ante-preparatory—convened in the house of the Cardinal relator and attended only by the officials of the cause and the consultors; the preparatory, held at the Vatican under the presidency of the Cardinal prefect—with all the Cardinals present, and finally, the general session in presence of the Holy Father.

When proof has been established of the heroic degree of virtue—or of the fact of martyrdom, as the case may be, a decree to this effect is ordered to be drawn up by the Holy Father—and thenceforward the servant of God may be termed 'Venerable'—though public veneration is not yet allowed. Can. 2101 prescribes that fifty years elapse before examination of the virtues, though, of course, the Holy See can and often does dispense with this rule.

(d) Finally, the miracles have to be discussed. With regard to those for the beatification of martyrs, we now have this decision in the Code of Can. Law. Canon 2116 says: 'When it is a question of a martyr, and evidence is sufficiently strong as to the martyrdom and the cause of the martyrdom considered in both its material and formal aspect—but miracles are wanting, then it rests with the S. Congregation to decide whether *signs* are sufficient; and if even these are lacking, whether petition should be made to the Holy See for a dispensation from signs in that case.'

By 'Signs' are meant exceptional gifts indicating sanctity or occurrences which are of a lesser grade of the miraculous than the three technically distinguished kinds of miracle: *supra naturam*, *contra naturam* and *praeter naturam*. Prophecy, the knowledge of secret things, may be quoted as examples of 'signs.'

Apart from this exception two miracles are required for beatification if ocular testimony can be produced; three, if eye-witnesses were available only at the informative process, and four if evidence is based entirely on tradition and documents.

The formal approval of the miracles is embodied in a decree of the S. Congregation and after this a fresh discussion takes place on the question (*dubium*) whether steps may safely be taken to proceed to beatification.

It is customary to allow a short period to elapse before the Pope summons the secretary of the Congregation to prepare the decree *de tuto*. Then the Holy Father issues an apostolic brief in which he decides upon the date of the solemn beatification, at the same time granting a Mass and Office in honour of the *Beatus*, as well as special festivities, usually a *Triduum*.

The acts of public cultus, besides mass and office, customary in the veneration of a 'Beatus' are: the title of Blessed, representations with small rays, not a crown, of glory and other marks that may be introduced by long custom or by special indulgence.

(4) *Process 'per viam non cultus' or 'casus excepti'*

(1) An ordinary informative process is held on the reports of sanctity, or of martyrdom and on the existence of the cultus. (A dispensation may often be obtained to omit this process.)

(2) The S Congregation approves of this process and introduces the cause.

(3) The apostolic process, *super casu excepto*, turns upon the origin of the veneration and its uninterrupted continuance.

(4) In an ordinary meeting of the S. Congregation the judgment of the apostolic process is confirmed by the Pope.

(5) The apostolic process in the diocesan curia deals with either the virtues or martyrdom.

(6) The S. Congregation passes judgment on the validity of this process.

(7) In three separate sessions the S. Congregation discusses the immemorial cultus, heroism of virtues or martyrdom.

Then finally, it rests with the Pope to confirm the cultus and to declare the servant of God equivalently beatified.

(5) *Canonization*

The essential conditions for canonization are (1) the certainty of beatification either formal or equivalent,

and (2) the recognition of miracles wrought after the brief of beatification. Two miracles are required after formal beatification, and three after equivalent.

As soon as at least one miracle can be submitted the postulator may apply to the Holy See for a commission for 'reassumption of the cause.' The *positio* (or statement) for the reopening is considered in an ordinary meeting of the S. Congregation, which then recommends the Holy Father to issue the decree.

Apostolic processes are next instituted in the Diocesan Curia on the new miracles, and the acts are submitted for discussion in the S. Congregation. When this is completed the Pope pronounces that the miracles have been proved: *constare de miraculis*. A judgment has next to be obtained in the S. Congregation whether after approbation of the miracles the final steps may safely be taken for solemn canonization.

After a favourable vote, the Pope orders the decree *de Tuto*.

The Holy Father then commends the matter to the prayers of all and holds several consistories to enable the subject to be brought forward before he finally fixes the date of canonization in either a public or semi-public consistory.

The solemnity takes place in St. Peter's.

It is the business of the postulator to arrange that a *novena* of celebrations (or by concession of the Holy See, a *Triduum*) be held in some church connected with the saint.

PART II: THE PROCESSES FOR THE ENGLISH MARTYRS

The cause of our English martyrs has now acquired its full strength and bids fair to make the normally rapid progress that is desired throughout the land. But its history has been only very gradual and fraught with many difficulties.

Mgr. Agostino Caprara, promotor of the faith, at the time of the introduction of the cause, reviewing in his *Disquisitio* the course of events that had led up to this result, begins by indicating the references to our martyrs, found in the letters of Gregory XIII (Constit. *Quoniam Divinae Bonitati*, May, 1579), Xystus V (Constit. *Afflictae*, September, 1586) and Urban VIII (Breve: *Non semper terrena felicitas*, March, 1626). These form a first and striking testimony to the sentiment of veneration as for heroes of Christ one day to be officially declared martyrs, which was felt even in the actual period of the martyrdoms. The first active attempt to consider the claims of the victims of the reformation persecution is to be found in the injunction, or at least advice, emanating from Cardinals, of which Congregation is not known, to Dr. Richard Smith, Bishop of Chalcedon and Vicar-Apostolic of England, to collect evidence regarding the sufferers of the persecution. This must have come to him early in the term of his rule as Vicar-Apostolic. He was consecrated in 1625, and was Bishop for thirty years. On 25th May, 1628, he addressed a letter to their Eminences in which he says he now is able to give them the catalogue of our martyrs which they looked for 'with incredible desire.' His catalogue includes those who were put to death from 1570 to 1618. 'I have placed no one in the

list,' he says, 'of whose martyrdom anyone in England had doubt.'

Though no further steps were immediately taken as a result of the Bishop's labours, his testimony served a useful purpose later.

Still within the life-time of Bishop Smith, but when he had in his old age retired an exile to Paris, Urban VIII himself intervened. By a brief of 23rd February, 1643, the Pope appointed Francis Van der Burch, Archbishop of Cambrai and the Bishops of St. Omer and Ypres to act as ordinaries in England for the institution of a process 'in the cause and nature of the death of the servants of God who suffered there.'

The archbishop, who alone took active measures to discharge the commission, regarded England, for the purpose of the enquiry, as divided into two districts by the river Trent. As judges for London and all south of the Trent he appointed:

Mgr. George Gage, D.D., Protonotary Apostolic.

Fr. Thomas Dade, Provincial of the Dominicans.

Fr. Benet Cox, O.S.B., and

Fr. Francis Bell, O.S.F., definitor.

For the northern counties, with York as centre, he deputed:

Fr. Phillips, Confessor to the Queen.

Fr. George Catherack.

Fr. Robert Haddock, Provincial of the Benedictines, and

Fr. William Anderton, O.S.F.

These judges were instructed to visit places where information was likely to be found and to call before them reliable witnesses as to the sufferings and martyrdoms of the servants of God.

It was probably found impossible to carry out these plans and, in any case, no record exists of whatever may have been attempted.

The documents sent into England by the Archbishop fell into the hands of the authorities who had them published by Husband, printer to the parliament, under date 7th December, 1643.

On that very day Fr. Francis Bell, O.S.F., was brought to his trial, and in all probability the fact that he was an agent of the Pope in this matter, hastened his condemnation and death, which took place at Tyburn a few days later.

Even earlier than this time one of the Reformation martyrs acquired the title of venerable by the introduction of his cause. This was Fr. John Ogilvie, S.J., who died by hanging at Glasgow, 1615.

The explanation of this early success of his cause was that when, in 1627, Fr. Virgilio Cepari was appointed postulator of the Order, he gave special attention to the case of Ven. J. Ogilvie because, as the notary of the cause states: 'There were now in this city to be found those who could give evidence concerning the martyrdom.' Under his direction two processes were instituted by authority of the respective ordinaries—one in Rome under the Cardinal Vicar and the other at Würzburg, where, amongst others, two Benedictine Fathers, Sylvanus Mayne and James Hegate, who had personally known the martyr, were cited to give their evidence. The completed process was submitted to the S. Congregation of Rites on 27th January, 1629, and on the 5th May of the same year remissorial letters were granted. The apostolic process carried out by His Grace the Archbishop of Glasgow was

presented to the S. Congregation towards the end of 1927.

We have next to record the contribution of Bishop Challoner, Bishop of Debra and Vicar Apostolic of the London district to the cause of our martyrs. As is well known it was largely due to his labours that the memory of the English martyrs was kept alive, and a knowledge of them and of their sufferings was spread amongst the little flock of the faithful. Having gathered together a mass of material from various printed catalogues, from documents supplied to him by Alban Butler from Douay, by the Fathers of the Society of Jesus at St. Omers, from Benedictine and Franciscan sources and from Cuthbert Constable's MS. collections, the Bishop published his two volumes of *Memoirs of Missionary Priests in 1741-42*, treating of the martyrs from 1577 to 1684.

The publication has been most valuable both as an incentive to proceed with the cause and also as direct evidence when the cause was at last introduced.

The weight of his testimony is accepted by the promotor of the Faith in the *Disquisitio* on the ordinary process.

Fr. John Morris stands out prominently as an apostle insisting upon the claims of the English martyrs. For forty years of his life the cause of these heroes of the faith was the goal of his hopes and the object of his untiring labours.

He was received into the Church at Northampton on 20th May, 1846. He spent some years in Rome, and wrote thence to Cardinal Wiseman in 1855 a report which affords evidence of his research in all archives to which he could obtain access, and of his

foresight with regard to the future success of the cause. Fr. Pollen, S.J., writes of him between 1853 and 1856: 'He was commissioned to request the Congregation of Rites to grant the privilege of a feast day with a special Mass and office in honour of the English martyrs as a step towards their canonization. This petition, however, and several others of a like nature, all drafted by Fr. Morris, were at the time rejected by the Congregation of Rites, which steadily refused to allow the least relaxation of the strict laws that regulate the promotion, as it is called, of servants of God to the honours of the altar.'

The hierarchy of England assembled, in its third Provincial Council at Westminster in 1859, resolved upon definite steps being taken towards the introduction of the cause of the martyrs. A decree embodying the proposal contains these words: 'As there is a question of the honour which the Holy See is believed to have permitted to be paid to those, who after the overthrow of the ancient religion in England shed their blood for the Catholic Faith and the primacy of the Holy See, the Bishops of Salford and Liverpool, in whose territory most of the missionaries of those times were born, should make an accurate examination of the question.'

At this period then the only prospect of the official recognition of our martyrs seemed to be by way of concession of the Holy See—to be based upon privileges already granted. The labour and expense of an ordinary process were probably judged to be beyond the limited resources then available. The previous privileges alluded to were three: Firstly, Pope Paul V had allowed the colleges from which the missionaries

went to sing a 'Te Deum' on hearing the news of the death of one of their *alumni*—though the title of martyrs was not to be used. Secondly, Pope Gregory XIII was reported to have permitted relics of the English martyrs to be used in the consecration of altars when relics of ancient or canonized martyrs could not be obtained. The only authority for this privilege seemed to have been Diego Yopez, Bishop of Tarrasona. He may have received this concession by word of mouth—as no document has been found to confirm it, and in no case was the privilege known to have been used. Neither of these privileges could afford ground for new concessions, but a third could, and eventually did, result in the beatification of a group of martyrs. This was the official representation of victims of the penal laws—of which we shall speak presently.

✓ In the Acts of the Westminster Synod is to be found an appendix of extracts referring to the English martyrs: a series of some twenty quotations from various authors selected by Fr. Boero, postulator of the Society of Jesus, with also an account of a reliquary of date earlier than 1621, belonging originally to the Cholmoley family, and showing that English martyrs of the Reformation were associated with saints and beati. A copy of this evidence, with some additions, was taken to Rome by Cardinal Wiseman, and was used as the ground of a petition that the Holy See would grant a feast of all the martyrs of England with a mass and office. The Reformation martyrs were thus grouped together with the ancient martyrs—St. Alban, St. Elphege, St. Thomas of Canterbury, etc., and were referred to in the proposed II Nocturn as having

shed their blood in defence of the prerogatives of the Holy See. As might have been expected the S. Congregation of Rites replied *Negative* rather than grant the honours of Beatification without previous examination.

This decision was given in 1866. Then in 1871 the Bishops of England laid a request before the Holy See that the catalogues of the Bishops of Chalcedon and Bishop Challoner with some other documents might be accepted in place of the canonically prescribed ordinary process, as, in fact, the S. Congregation had allowed, when, in the cause of the martyrs of Corea and Tonquin, the letters of the Vicars Apostolic had sufficed for the introduction of the cause. The matter was brought forward in a special meeting of the Congregation of Rites on 10th June, 1872, when the *Dubium* was proposed: Whether, considering all the circumstances, it was well to treat of this question. The answer was: *Dilata et ad mentem*. Which meant that the final reply was withheld until the English Bishops should carefully consider whether the introduction of the cause might prejudice the interest of the Church by giving offence to the British Government and Anglican clergy, and whether also it might not be a fresh cause of irritation to the new German Empire, which had already declared war on the Church. As the English martyrs were to be honoured for their defence of the Papal prerogatives, it might not be prudent to afford a new pretext for hostility to those who were just then aroused to an attitude of opposition by the recent definition of Papal Infallibility. These considerations were set forth in a letter of the S. Congregation of Rites of 14th June, 1872.

Archbishop Manning answered by letter of 11th

November of that same year: That, knowing the mind of all the Bishops on the matter, he did not hesitate to say he was expressing their unanimous wish that the cause should be put forward without delay so that when more favourable and opportune circumstances arrived, the supreme authority of the Holy See, if it so judged, might be able to proceed to the solemn canonization without further delay by reason of unpreparedness.

On 16th April, 1873, this letter was considered by the S. Congregation. It responded that it was not expedient to accept the documents proposed in lieu of a regular process, and that it was advisable that the Cardinal Archbishop of Westminster should use his ordinary jurisdiction and institute the process according to canonical rules.

Process of 1874

The course thus indicated was entered upon the following year. On 19th June, 1874, Cardinal Manning opened the process in his domestic chapel, and thus inaugurated an enterprise, arduous and intricate, both because nothing of the kind had before been attempted in England and on account of the number of martyrs to be dealt with. Fr. John Morris, who had entered the Society of Jesus in 1866, was obviously marked out as postulator. He had already spent a year in studying the legal forms of the process. The Fathers of the Oratory took up the matter with zealous interest, prominent amongst them being Fr. Francis Knox.

The judges deputed for the process were: Fr. Stanton, of the Oratory, Fr. Bagshawe, then of the Oratory and afterwards Bishop of Nottingham, and Fr. Edmund

Surmont, D.D., then of St. Thomas's Seminary and now V.G. of Westminster. Rev. Joseph Redman, D.D., of Harrow, and afterwards of Brentwood, undertook the duties of sub-promotor, whilst the role of notary was accepted by Fr. Knox.

Sixteen witnesses were called, amongst whom were: The Duke of Norfolk, Lord Petre, Lord Arundell of Wardour, Bishop Hedley, Canon O'Toole, Fr. Stevenson, Bro. Foley, S.J., Mr. David Lewis, Mr. Charles Weld and Lady Georgiana Fullerton. And the two ex-officio witnesses were Bishop Weathers and Provost Hunt. Between June and September, 1874, frequent sessions were held in the Little Oratory at Brompton.

The formal closure of the process took place, as the first meeting, in the Archbishop's private chapel. Fr. Morris's speech, on this occasion contains a summary of the work that had been entailed: 'This session,' he said, 'which I apologize for prolonging in my importunity, is our thirty-seventh. Of these, twenty have been occupied in taking the testimony of witnesses, seven in the collation of the whole process, while the other ten have been passed, partly in receiving the oaths of the witnesses, partly in the trial and acceptance of documentary evidence. In all, the witnesses number sixteen, the days occupied thirty-one, the pages of the original process written from first to last by the notary's hand nigh on seven hundred.

Lord Henry Kerr was sworn to convey a faithful copy of the Acts to Rome, whilst the originals were deposited in the Westminster archives. Accompanying the Acts were various documents, technically *compulsed*, bearing on the evidence:

(a) A copy of the indictments, given in English Law

Latin, of Cardinal Fisher, Sir Thomas More and some of the Carthusians.

(b) A transcript of Maurice Chauncey's account of the Carthusian martyrdoms.

(c) Various other historical documents carefully authenticated.

This collection of Acts and documents was in due course deposited by Lord Kerr with the S. Congregation of Rites and opened with the prescribed formalities.

'Litterae postulatoriae,' that is, petitions for the furtherance of the cause, from the episcopate of Belgium as well as of England, from religious orders and prominent ecclesiastics and laymen of the country, were sent to Rome in considerable numbers chiefly during the years 1880 and 1881.

In the hope that the progress of the cause might suffer no delay, the Holy See was requested to dispense with the rule requiring ten years to elapse between the presentation of the ordinary process and the proposal of the introduction of the cause before the S. Congregation. The dispensation was granted, but unavoidable delays rendered it of no avail. First the translation of the English evidence was not accepted and a new one had to be undertaken in Rome. Then the two lawyers, appointed for the purpose, Advocati Alibrande and Lugari, had to compile the whole of the process in the form in which it had to be presented before the S. Congregation. The enormous mass of material to be dealt with appeared at last in two folio volumes under the title, *Informatio super Dubia ; an sit signanda Commissio introductionis causae, etc.*

Again, considerable time had to be allowed to the promotor Fidei, Mgr. Caprara, to prepare his *disquisitio*,

or official examination both of the process in general and of each case individually.

The result at this stage was that of the 353 names of martyrs in the list, the promotor assented to the introduction of 277. He objected to 76. Our lawyers dealt with the objections raised and the promotor, in an *Additio ad disquisitionem*, accepted the explanation in the cases of 32. Thus the promotor proposed that 309 names should go forward; 43 should be excluded, chiefly because, though they died in prison, it was not sufficiently clear that death was caused by suffering, whilst he remained doubtful as to the case of Fr. Henry Garnet. The advocates had now no official right to reply but they drew up an answer which is incorporated with the *Informatio* as *Memoriale ex gratia legendum*.

✓ It was now more than twelve years since the acts of the process had been forwarded from Westminster. A long delay—but in the meantime a very notable event had taken place which led to the beatification of a number of our martyrs without waiting for the completion of the process.

The promotor Fidei, in his *Additio ad Disquisitionem* (the rejoinder to the answers of the two advocati) stated that besides receiving the fuller proofs that he had asked for, he had also become acquainted with new facts, and documents which seemed to show that some of the older martyrs had been set in a certain privileged position by the authority of the Roman Pontiffs.

Mgr. O'Callaghan, Rector of the English College, who was joint postulator with Fr. Torquato Armellini, S.J., conceived the idea of calling the attention of the promotor to the representations of the English martyrs which originally dated from 1580 to 1582. The

promotor went into the whole matter carefully and embodied the story in his *Additio*, which is briefly as follows: George Gilbert, a generous friend of Fr. Persons and Fr. Campion paid the cost of paintings, representing English saints and martyrs for the Church of the English College—then called of the Blessed Trinity—afterwards St. Thomas of Canterbury. Fr. William Good, Confessor of the College, gave directions and wrote inscriptions, and the artist employed was Nicholas Circiniani (also known as Dalle Pomerance). Thirty-six pictures were thus produced, depicting such ancient English saints as St. Alban, St. German, St. Wulstan, St. Boniface, St. Thomas of Canterbury—but the last nine of the series dealt with the martyrdoms of Fisher, More, and others of the Reformation period down to the year 1583. The actual paintings perished towards the end of the 18th century, *hostili manu*. But in 1583–84 John Baptist Cavalieri had published prints of the whole series *cum privilegio Gregorii XIII, Pont. Max.*

A preliminary title describes all those represented as ‘martyr saints, who in ancient or more recent times of persecution have suffered in England for Christ and for the defence of the Catholic Faith.’ The promotor says that some of the witnesses had made mention of the pictures, but only when he had carefully inspected them did he see their importance. After close examination, therefore, he argues at some length that the description of ‘saint’ or ‘blessed’ allowed by Papal authority affords sufficient title for the confirmation of the cultus.

On 4th December, 1886, a particular session of the S. Congregation of Rites—that is, one specially

named by the Pope—was held to consider the ordinary process of the English martyrs. The assembly consisted of Cardinal Bartolini, Prefect; Cardinals Oreglia di S. Stefano, Serafini, Parocchi, Zigliara, Monsignori Nussi, Salvati, Caprara (Promotor fidei) and Lauri (Sub-promotor). The Cardinal Prefect acted as ponens or relator of the cause. This Congregation decided the case in accordance with the views and recommendations of the promotor as set forth above. The Holy Father, Pope Leo XIII, signed the commission for the introduction of the cause of the 261 martyrs on the 9th December, 1886. On the same date the above-mentioned Congregation decided that, in the case of the 54 earlier martyrs, 'there is evidence of the concession of public ecclesiastical honour and of this being a case excepted by the decrees of Pope Urban VIII, of sacred memory, in the matter and to the effect under consideration.' The Pope having given his approval, ordered the decree to be issued on the 29th of the same month, Feast of St. Thomas of Canterbury. We may point out, in passing, that this decree by which our martyrs received the title of venerable, contains two changes from the form in which the Acts of the ordinary process had been presented. The name of J. Weldon now appeared as an *alias* of J. Hewett and the number of martyrs was augmented by seven (appearing first in the *Additio ad Disquisitionem* of the promotor) and now included in the list of Beatifications. These were Margaret, Countess of Salisbury, John Beche, Abbot of Colchester¹, John Haile, Thomas Plumtree, Thomas Woodhouse, John Storey and John Felton.

¹ At the last moment, Beche, with his fellow Abbots of Reading and Glastonbury, was omitted from this decree.

The Nine Added Beatifications

As a consequence of the equivalent beatification of 54 of our martyrs, active measures were taken to apply the concession of Gregory XIII to eight others, who were claimed to be included in the pictures, though the promotor fidei was not at first satisfied as to their identification—as well as to Adrian Fortescue, knight of St. John of Jerusalem, to whom a distinct cultus had been kept up at Malta.

A 'supplex libellus' containing this petition was forwarded to Rome by the Archbishop of Westminster and the Bishops of England, together with the arguments which supported the claim. On 14th January, 1889, the matter was formally entrusted to the Particular Congregation of Rites, already appointed by the Pope. The preparation of the *Informatio* of the supporters, the *Disquisitio* of the Promotor Fidei and the *responsio* to the *Disquisitio*, all received the accustomed careful study and consideration until on 27th January, 1895, the Holy Father again confirmed the Particular Congregation in order to obtain its decision. On 13th May, 1895, the decree was signed by the Holy Father whereby there were added to our 54 Beati the names of:

Hugh Farrington, Abbot of Reading.

Richard Whiting, Abbot of Glastonbury.

John Beche, Abbot of Colchester.

Roger James, Monk of Glastonbury.

John Thorne, Monk of Glastonbury.

William Eynon	} (perhaps) Monks of Reading.
John Rugg	

Adrian Fortescue, Knight of St. John of Malta.

Thomas Percy, Earl of Northumberland.

Process of 1888-9.

Whilst the Process that we have been describing was still pending, much new information regarding our martyrs was accumulated, especially through a new arrangement of documents in the Public Record Office of London. It was hoped that many who had been left out of the original cause (*praetermissi*) might now be added to the roll.

A new process was therefore opened at Westminster in September, 1888, and continued till August, 1889, dealing with some 230 cases, of which the leading name of the process was Mary Stuart. The proceedings were forwarded to Rome and drawn up in a 'Summarium,' which runs to about 250 printed folio pages. Of this process Fr. Pollen writes in the *Catholic Encyclopaedia*: 'It was thought well to include every possible claimant, even where there was scanty information, and the far-reaching cause of Queen Mary Stuart. This proved a tactical mistake. An obscure cause needs as much care or more than a clear one. And the Roman Courts begrudge men and time where results are uncertain. Therefore to save time and facilitate progress, this cause has been split up. The case of Queen Mary has been handed over to the hierarchy of Scotland and other simplifications have been effected.'

Fr. Pollen gives a list of 242 *Praetermissi* in the *Catholic Encyclopaedia*, and adds also the names of the eleven Bishops deposed by Queen Elizabeth and left to die in confinement, whose causes might perhaps be prepared at some future time.

Processus de Scriptis.

On 24th March, 1899, apostolic letters were issued

by the S. Congregation of Rites for a *Processus de Scriptis*, that is, a careful examination of the writings of the martyrs declared venerable. The collection amounted to 500 different documents, in about 2000 pages, which were prepared by the 17th June, 1904. By a special concession four examiners were deputed to draw up a preliminary *censura* . After this had been carefully considered in Rome a decree was confirmed by the Pope, 2nd March, 1906, declaring that no hindrance to the cause would arise from this source. In the same year a decree was obtained allowing altars to be erected in honour of the Beati.

Apostolic Process, 1923-26.

The next stage towards the Beatification of our 252 venerable martyrs was the institution of the apostolic process. By special faculty of the Holy See, the S. Congregation of Rites granted that remissorial and compulsorial letters should be addressed to His Eminence Cardinal Bourne and four priests, preferably of some ecclesiastical dignity, to institute the apostolic process in the Archdiocese of Westminster, to enquire into the fame of sanctity of life, into the virtues, martyrdom and cause of martyrdom, as also into the miracles 'signs' and the absence of public cultus of the venerable servants of God.

Cardinal Vico, prefect of the S. Congregation of Rites, in these letters, addresses the Cardinal and other delegates as to their commission. He recalls what has already been effected; the ordinary process which was examined at the Vatican in 1886, the signing of the commission for the introduction of the cause—the whole of the decree being cited—how the postulator,

Fr. Beccari had petitioned His Holiness Pius XI for the remissiorial letters which are herewith being granted. The process is to be completed within two years from the reception of these letters, which were signed by the Cardinal Prefect and the Secretary, July 18th, 1922.

It will be observed that officially it is the postulator general, in our case, Fr. Beccari S.J., who initiates the whole process by obtaining the remissiorial letters. Similarly he delegates the vice-postulator, Fr. Charles Newdigate, S.J., who then communicates the letters, petitioning His Eminence to proceed to their execution. The official response of the Cardinal summoned the first session for 15th June, 1923. In that opening meeting the chief business was the constitution of the Court. The four judges chosen, and now confirmed, were Right Rev. Joseph Butt, Bishop of Cambysopolis, Abbot Butler, O.S.B., Fr. William Ffrench Keogh, O.S.C., and Fr. Reginald McKee, of the Oratory. As His Eminence had obtained the special privilege of appointing other judges who might be deemed necessary, from amongst the clergy, except from the Friars Minor and members of the Society of Jesus, he afterwards deputed: Fr. George Stebbing, C.S.S.R., Abbot Smith, C.R.L., Fr. Peter Ryan, D.D., and Fr. Michael McCarthy, S.C.

The fiscal promotor was Fr. Fabian Dix, O.P., with whom was associated Fr. Ambrose McGrath, O.S.M. Fr. Edwin Essex, later succeeded Fr. Fabian Dix, and in November, 1924, the office of second sub-promotor was taken over by Fr. Leonard O'Hanlon from Fr. Essex. The duties of *Notarii* were entrusted to Fr. Gerard Lionel Smith and Fr. Robert Cuming, Fr. John Ross eventually taking the place of the latter. Mr. Herbert Ward acted as cursor of the Court.

All these before taking their respective places in the Court were duly sworn to fulfil their duties with the right motive and to observe secrecy. After the second assembly of the Court there was a change in the office of postulator, Fr. Beccari, S.J., having been succeeded by Fr. Aureliano Fajella, of the same Order. This necessitated the procuring of a fresh commission to our vice-postulator, Fr. Newdigate.

Within two years, eighty-four sessions were held at each of which three judges presided, before whom twenty-nine witnesses were called, including the two ex-officio witnesses, Bishop Manuel Bidwell and Canon Myers, to read and have copied by hand the depositions on the particular martyr or group of martyrs, studied by them.

The final session on 14th June, 1926, was a full gathering of practically all those who had taken part in the process. Under the presidency of His Eminence Cardinal Bourne the various documents were signed and sealed, to be then handed over to the messenger selected by the Cardinal to convey the whole process to the S. Congregation of Rites.

Concurrently with this process held at Westminster a 'processiculus,' for which a faculty had been obtained from the S. Congregation, 4th September, 1924, was conducted at Cardiff under the presidency of the Archbishop. This was arranged to obviate the difficulty of calling four special witnesses to London. The proceedings of this subsidiary process were of course incorporated with those of the main court at Westminster.

The large mass of material thus lodged with the Roman authorities was examined and arranged by John

Baptist Ferrata, advocate of the Congregation. It thus takes the form of what is technically the 'Positio' on the 'Validity of the Processes,' and comprises:

(1) The 'Informatio' of what has hitherto been done.

(2) A Summarium, showing that all canonical documents have been in order, such as the remissorial letters, letters of delegation, special faculties and so forth.

(3) A judgment expressed as to the compliance with all regulations in the procedure.

The decision of the advocate was that the validity of the enquiry was established, and that rarely is a process found to be carried out with greater care and attention.

Completed by 2nd March, 1928, the advocate's report was handed over to the promotor fidei. His criticism consisted in pointing out that there was no record of the prescribed oaths being taken by some of the witnesses, that very long intervals sometimes elapsed between the sessions, and that various small formalities with regard to signatures had been overlooked. These objections received on 18th March were easily disposed of by the advocate by the 28th of the same month.

On 17th April, 1928, in the ordinary particular meeting of the S. Congregation, the 'Positio' was laid before the assembly by Cardinal Lépicier, relator of the cause, in order to obtain the vote as to the validity of the processes.

Cause of B. Oliver Plunkett.

The cause of B. Oliver Plunkett was included in that of all our martyrs till 1899. On the 10th July of that year remissorial letters were issued to the Archbishop

of Armagh to institute a separate process. Similar letters were addressed to the Archbishop of Dublin that witnesses might be heard in that city, and in 1905 the promotor fidei obtained special faculties to issue instructions for receiving the testimony of Cardinal Moran at Sydney.

Orders were also given in 1899 for collecting the writings of the Ven. Archbishop in his archdiocese whilst search was made also in the archives of Propaganda in 1904. The theologians, deputed as censors of the writings (mostly letters) were able to submit their report in an ordinary meeting of the Congregation of Rites, 28th April, 1914, its favourable decision being approved by Pius X, 13th May, 1914.

The Acts of the apostolic process were opened with the prescribed formalities in a session of the Congregation, which by decree of 24th November, 1909, granted that the dubium on the validity of the process and that *de non cultu* might be discussed together.

This was carried out on 15th March, 1910-2, the approval of the Sovereign Pontiff obtained on 23rd of that month. Again by decree of 29th April, 1914, it was allowed that the discussion of the martyrdom and of the signs or miracles might be completed in the same sessions. The Congregatio antepreparatoria for this purpose was held at the house of Cardinal Vanutelli, relator of the cause, on 14th July, 1914; the preparatoria followed three years later, 19th June, 1917, and the general congregation took place 5th February, 1918.

On 17th March was signed the decree *Constare de Martyrio*.

On 16th April, took place the general Congregation *de Tuto*.

On 12th May, the decree *de Tuto* appeared, and finally, 23rd May, 1920, apostolic letters were promulgated announcing the beatification of the martyred Archbishop.

This present course of study on our martyrs stands as evidence of our hope in an early decision of the Holy See in their regard.

The cause of the two great heroes of the opening years of the Reformation, B. John Fisher and B. Thomas More, is especially of interest because we are now concerned with their canonization. However, up to the present, only the preliminary steps have been taken by the appointment of a postulator, now Dr. Moss, of the English College, Rome, in succession to Bishop Hinsley, and of a Vice-Postulator, Fr. P. E. Hallett, of the Seminary, Womersley. I understand that though numerous acknowledgments of favours through the intercession of these Beati have been received, the Holy See has not yet decreed the commission for the 'reassumption' of the Cause.

As previously indicated, an apostolic process must be held in the episcopal curia of Southwark to take evidence on the miracles. The Acts will have to be submitted to the consideration of the S. Congregation, which will then obtain from the Holy Father his judgments on the miracles. The Congregation *de Tuto* follows with a corresponding decree of the Pope, who then brings the case forward in two or three consistories before fixing the date of the solemn canonization.

The cause of the 252 Martyrs, to whose Beatification we look forward, must also entail a good deal of attention still in Rome. The mere mention of the Congregation for the discussion of the martyrdom and of

signs and miracles, of the three meetings, antepreparatory, preparatory and general, the Congregation *de Tuto* will convey little idea of the time and labour still to be expended in the long list of the martyrs. In the case of B. Oliver Plunkett these proceedings were spread over a space of ten years.

Whilst we may not look for any lessening of the deliberation, caution and thoroughness prescribed by canon law, it is yet to be devoutly hoped that the solemnities of next year's celebration of the centenary of Catholic Emancipation may be enhanced by the beatification of some at least of our martyrs.

IV

BLESSED JOHN FISHER AND BLESSED THOMAS MORE¹

BY THE VERY REV. P. E. HALLETT,

*Rector of St. John's Seminary, Womersley, and Vice-
Postulator for the Canonization of these two Blessed
Martyrs.*

As we are concerned primarily with the martyrdom of these two servants of God, and as time is short, we must pass over many matters with scarcely an allusion which otherwise might profitably engage our attention.

On such an occasion as this it would be interesting to trace out in detail Fisher's intimate connection with the University of Cambridge; how he was first a student, then master of Michael House, now absorbed into Trinity; how he was for three years President of Queens', how with the generous benefactions of the saintly Lady Margaret he founded Christ's College, St. John's, and various preacherships and professorships, how he was made Vice-Chancellor and then Chancellor, at first being annually elected, and finally appointed for life. This great University has ever held his memory in honour.

A letter, first printed since the publication of Father Bridgett's *Lives* of Fisher and More, gives so vivid a glimpse of Fisher's undergraduate days, and contains

¹ Throughout the whole lecture I have been greatly indebted to the 'Lives' of Fisher and More by Father Bridgett.

so high a tribute to More's holiness of life, that we must be excused for quoting from it here. It was written in 1535, the year of their martyrdom, by Father John Bouge, a Carthusian, to one of his penitents. 'Now good lady daughter, ye shall understand that I was familiar in acquaintance of two honourable persons, that is to say, for the spirituality my lord Bishop of Rochester, by this token that we were scholars together in Cambridge of one form and of one parish, and for a little pastime I might speak to him out of my chamber window into his chamber window. We were both bachelors of art together, and both of one day. Item, as for Sir Thomas More, he was my parishioner at London. I christened him two goodly children. I buried his first wife, and within a month after he came to me on a Sunday at night late and there he brought me a dispensation to be married the next Monday without any banns asking; and as I understand she is yet alive. This Mr. More was my ghostly child; in his confession to be so pure, so clean, with great study, deliberation and devotion, I never heard many such; a gentleman of great learning, both in law, art and divinity, having no man like now alive of a layman. Item, a gentleman of great soberness and gravity, one chief of the King's Council. Item, a gentleman of little refection and marvellous diet. He was devout in his divine service, and what more, keep you this privily to yourself, he wore a great hair next his skin in so much that my mistress marvelled where his shirts was washed. Item, this mistress his wife desired me to counsel (him) to put (off) that hard and rough shirt of hair, and yet (it) is very long, almost a twelvemonth, or she knew this habergeon of hair; it tamed his flesh till

the blood was seen in his clothing.'² We may remark, in passing, that Margaret Roper knew his secret and saw to the washing of his hair-shirt.

Of Fisher's thirty years episcopacy, also, we have time to say but little. The fame of his sanctity spread throughout Europe, and of his learning the large folio volume of his works gives sufficient proof. Erasmus calls him a divine prelate. His controversial works were the first formal answer to Luther and the other heretics of the time, and the armoury from which later warriors in the field, such as Stapleton and Bellarmine, drew their weapons.

In the case of More, the topics that clamour for treatment are even more numerous. His brilliant literary powers, his wit, the many fascinating problems suggested by the 'Utopia,' his public career, his numerous friends, his ideal home life where his children were taught to take virtue and learning for their meat and play but for their sauce, above all his holiness, might well tempt us to delay, but we dare not yield to the temptation. We can afford time to deal here with only one topic, viz. his treatment of heretics. Those outside the Church often consider this to be the great blot on his escutcheon: he has been described as the tool of 'the blind and enraged fury of the priests,' a 'merciless bigot' who 'tortured children' and 'fed the stake with heretics,' etc.

True it is that in the epitaph which he composed for himself he declares that he was 'troublesome to thieves, murderers and heretics,' and that he defends these words in a letter to Erasmus. 'I wrote the words,' he

² Reprinted in *The Dialogue of Sir Thomas More*, Eyre & Spottiswoode.

says, '*ambitiose*,' i.e. with the fullest deliberation, 'for I detest the whole tribe of heretics so much that there is no one to whom I wish to be more hostile than to them, unless they renounce their errors. For day by day my experience of them increases my fear of the tremendous harm they may do to the world.'³ True it is, too, that he wrote untiringly against them, that he tried to stop the importation of their books, and that he heartily approved of measures of repression. It must not of course be fondly imagined that the heretics, on the contrary, were advocates of general toleration: they wished to abolish the Mass as blasphemous idolatry, to drag the monks from their cloisters, and, in the words of Simon Fish, 'to tie these holy idle thieves to the carts, to be whipped naked about every market town and then forced to marry and work.'⁴ But the forcible repression of heresy which was More's duty as Chancellor is one thing, injustice or cruelty is quite another, and of these we submit that there is no evidence.

More in his *Apology* publicly challenged anyone to come forward to prove that he had been wronged, offering him a reward if he would do so.⁵ The challenge met with no response in More's lifetime, although, after his resignation of the Great Seal, it was well-known that the King would have welcomed accusation against him. There were, indeed, many stories of his supposed enormities industriously circulated by 'the brethren,' as More himself bears witness, but though

³ Reprinted amongst Erasmus's correspondence in the Leyden Edition of his works, Appendix, Letter No. 466.

⁴ In his famous *Supplication of Beggars*.

⁵ *Apology*, Chapter xxv.

they were carefully gathered up by Foxe and printed 30 years later in his *Book of Martyrs*, yet many of them bear on their face the evidence of their falsity. Thus Frith, whose death is imputed to More, did not land in England until after More had resigned his office of Chancellor. Tewkesbury, again, towards whom Foxe accuses More of cruelty, had been examined and had recanted several months before More became Chancellor. Indeed, during the twelve years before 1531, during which More was one of the most influential leaders in the campaign against the heretics, not one single death sentence was pronounced against them in the diocese of London. In February of that year Convocation conferred upon Henry the title of Supreme Head, and More, as Chapuys bears witness, was utterly out of sympathy with the trend of events, and anxious above all things to resign. Stokesley had succeeded Tunstall as Bishop of London and had begun again to burn heretics. During the last six months of More's chancellorship three heretics suffered the death penalty, but Stokesley was responsible, not More.

But we are not left to inference, for we have the direct evidence of More himself. Speaking in his *Apology* of the wild stories of beatings and torture ascribed to him, he replies: 'What cannot these brethren say that can be so shameless to say thus? For of very truth, albeit that for a great robbery or a heinous murder, or sacrilege in a Church, with carrying away the pix with the Blessed Sacrament, or villainously casting it out, I caused sometimes such things to be done by some officers of the Marshalsea, or of some other prisons, with which ordering of them, and without any great hurt that afterwards should stick by them, I

found out and repressed many such desperate wretches as else has not failed to have gone farther; yet, saving the sure keeping of heretics, I never did cause any such thing to be done to any of them in all my life, except only twain.' One was a boy in his household whom he caused to be 'striped as a child,' not for holding heretical views, but for teaching them to another boy in his house. More, in justice to the parents who entrusted their children to him, was bound to safeguard them from teaching which would have involved them in the direst penalties of the law. The other was indeed a heretic; but More ordered him to be whipped, not for his heresy, but for constant indecent assaults upon women in church. 'And verily, God be thanked,' adds More, 'I hear none harm of him now. And of all that ever came in my hand for heresy, as help me God, saving (as I said) the sure keeping of them, had never any of them any stripe or stroke given them, so much as a fillip on the forehead.'⁶ And More, we must remember, gave his life rather than tell a lie.⁷

Many who read the lives of More and Fisher will admire so deeply their noble characters and their holiness that they will ask why they cannot be canonized as confessors even apart from all question of their heroic death. Martyrs, however, are the closest and most authentic followers of Christ, and the glory of their crown is supreme. Indeed, when confessors and virgins first began to be canonized, it was, I believe, only because it was considered that they had

⁶ *Ibid.*, Chapter xxxvi.

⁷ This section owes much to the excellent treatment of the subject by Professor Chambers in his *The Saga and Myth of Sir Thomas More*. (Humphrey Milford.)

been martyrs, if not in deed, at least in desire. We are working, therefore, to get the Church's official seal of recognition set upon the death of these holy men. To a consideration, then, of their martyrdom we now address ourselves.

It is not death, but the cause of death, which makes the martyr. Although More and Fisher were condemned as traitors, yet in reality they died, not for any disloyalty towards their King, but for their fidelity to the Holy See. It will, therefore, be of interest to consider their views of the papal authority.

Their loyalty to the Pope will be seen to have been all the more meritorious if we recall for a moment what manner of men they were who then occupied the Throne of the Fisherman. Alexander VI, probably the worst of all the Popes, was reigning whilst More was at Oxford and whilst he was studying the law and lecturing in London. Constant references occur in the writings of both Fisher and More to the need for reformation in the papal court where the Popes of the Renaissance were living in almost pagan luxury. Thus Fisher writes against Luther: 'If the Roman Pontiffs, laying aside pomp and haughtiness, would but practise humility, you would not have a word left to utter against them. Yes, would that they would reform the manners of their court, and drive from it ambition, avarice and luxury. Never otherwise will they impose silence on revilers like you.' And again: 'If the successor of St. Peter will but endeavour to reform the morals of his court, I doubt not you will greatly repent of all you are doing.'⁸ Yet both More and Fisher

⁸ *Lutheranae Assertionis Confutatio*, Art. 28 (Latin Works, Col. 573 and 579), Father Bridgett's translation.

always strenuously upheld the legitimate authority of the Papacy.

It is well known that More's view of the Pope's authority underwent a change. 'Truth it is,' he writes in his letter to Cromwell, 'I was myself sometime not of the mind that the primacy of that See should be begun by the institution of God, until that I read in that matter those things that the King's Highness had written in his most famous book against the heresies of Martin Luther. . . . But surely after that I had read His Grace's book therein, and so many other things as I have seen in that point by the continuance of this ten years since and more, I have found in effect the substance of all the holy doctors, from St. Ignatius, disciple to St. John the Evangelist, unto our own days, both Latins and Greeks, so consonant and agreeing in that point, and the thing by such General Councils so confirmed also, that in good faith I never neither read nor heard anything of such effect on the other side that ever could lead me to think that my conscience were well discharged, but rather in right great peril, if I should follow the other side, and deny the primacy to be provided by God.' But, as he goes on immediately to show, even if the Pope's primacy is only by ecclesiastical law, it is utterly unlawful to reject it. 'For that primacy is at the leastwise instituted by the corps of Christendom, and for a great urgent cause in avoiding of schisms, and corroborate by continual succession more than the space of a thousand years at the least (for there are passed almost a thousand years since the time of the holy St. Gregory). And, therefore, since all Christendom is one corps, I cannot perceive how any member thereof may, without

the common consent of the body, depart from the common head.'⁹

It may be at first sight surprising that More should have held at one time that the Pope's primacy was only by ecclesiastical law. Such an opinion had indeed been held by the French school of Gerson and Pierre d'Ailly, but the Council of Florence had defined that this power was by divine right. But it is easy to understand how More may have accepted the Pope's authority in practice, like all other good Catholics, without ever studying the question of its origin. He was a civil lawyer, not a professional theologian. It was the denials of Luther that turned his attention to the basis of the Pope's power, and he was not long in correcting his error, as the early date (1523) of the following extract will show. It is from the book against Luther that More wrote under the assumed name of William Ross. 'The Rev. Father John Fisher, Bishop of Rochester,' More writes, 'a man illustrious not only by the vastness of his erudition, but much more so by the purity of his life, has so opened and overthrown the assertions of Luther, that if he has any shame he would give a great deal to have burnt his assertions. . . . As regards the Primacy of the Roman Pontiff, the same Bishop of Rochester has made the matter so clear from the Gospels, the Acts of the Apostles, and from the whole of the New Testament, and from the consent of all the Holy Fathers, not of the Latins only, but of the Greeks also (of whose opposition Luther is wont to boast), and from the definition of a General Council, in which the Armenians and Greeks,

⁹ English Works, p. 1426 (Cotton MSS. Cleopatra E., vi, f. 150-152).

who at that time had been most obstinately resisting, were overcome, and acknowledged themselves overcome, that it would be utterly superfluous for me to write again on the subject. . . . May God raise up such Popes as befit the Christian cause and the dignity of the Apostolic office: men who, despising riches and honour, will care only for heaven, will promote piety in the people, will bring about peace, and exercise the authority they have received from God against the 'satraps and mighty hunters of the world,' excommunicating and giving over to Satan both those who invade the territories of others, and those who oppress their own.'¹⁰

Note how far More extends the Pope's power. He holds him to have received from God authority to depose unjust rulers.

The last extract has introduced us to Fisher's views of the Papacy. In his works against Luther he proves very elaborately the Pope's primacy of divine right from scripture, tradition and reason. It is noteworthy that although in general, when speaking of the Church's power infallibly to declare points of faith and morals, he followed a view much favoured by theologians of that day and puts the Pope and the General Council together, yet sometimes he speaks of the Pope alone in a way that foreshadows the definition of the Vatican Council. Thus in one place he writes: 'We cannot think that Christ, about to ascend into heaven, would have left His Church without any ruler or guide, in such a way that for the deciding of doubts, disputes and controversies, for the contradiction of dangerous and novel opinions, for the repression of

¹⁰ *Reply to Luther*, Chapter x. Father Bridgett's translation.

disobedience and rebellion, and for the quieting of other disturbances in the Church, Christians would have no one to whom they might have recourse, but be obliged for every trivial business to call together a General Council. Everyone can see what great confusion it would produce in the Church if no one had received such an authority from Christ.'¹¹

Again, in his treatise on the identity of Mary of Bethany with Mary Magdalen and with the woman out of whom seven devils were cast, he quotes against his opponent the opinions of some Cardinals, and then proceeds: 'But if Faber is unwilling to pin his faith to Cardinals, we will bring forward some of the Supreme Pontiffs as supporters of this opinion, for we are confident that because of their supreme authority in the Church Faber will make no difficulty in yielding to them. For there is nothing in this world higher than the Supreme Pontiff. In all controversies, especially those concerning the Scriptures, Christians ought to have recourse to him and to obey his decrees.'¹²

It will be objected that Fisher, together with the rest of the clergy in Convocation, had in 1531 given to Henry the title of Supreme Head of the English Church and clergy, 'as far as the law of Christ permits.' But Father Bridgett shows that the title, though evil-sounding and ominous, did not then bear the same sense as afterwards attached to it.¹³ At first it was aimed not against the Pope at all, but rather against the Bishops and clergy of England, all of whom it wished to make subject to the King's courts. Fisher, however,

¹¹ *Luth. Assert. Conf.*, Art. 28. (Opera Col. 591) (translated).

¹² *De Unica Magdalena*, Lib. III. (Opera Col. 1453) (translated).

¹³ *Life of Fisher*, p. 203.

who seems to have signed the conditional formula in order that he might restrain his brethren from granting the title to the King without any reservation at all, soon repented of his action. His fears were not groundless. Less than four years later the Act of Supremacy quoted the title that Convocation had granted to the King and enforced it in a new sense, making it a formal renunciation of the Pope's spiritual jurisdiction. Rather than accept it, both Fisher and More willingly laid down their lives, as we must now relate.

To understand the course of events, we must bear in mind that the reason for which they were imprisoned was not the same as the reason for which they were beheaded. They were cast into the Tower, to be detained there at the King's pleasure, for rejecting the oath of succession. Both of them were willing to swear allegiance to any heir to the throne whom the King and Parliament might appoint. Cranmer indeed advised the acceptance of this offer, but Anne Boleyn persuaded the King to reject it.

On what grounds, then, did they refuse the oath? To this question we cannot give a complete answer. For, in the first place, we are not sure in what form the oath was tendered to them. The Act of Succession did not prescribe any formula, but the commissioners drew up one, 'adding more words to it of their own heads,' says Roper, 'to make it appear to the King's ears more pleasant and plausible.' This proceeding was, of course, utterly illegal, and Parliament, in the next session, attempted, in a blundering way, to remedy the defect by drawing up a form of oath which it enacted should be adjudged to be the very oath that Parliament had intended. Then, again, More asserted that he had

his own reasons for refusing to take the oath, not necessarily the same as those which moved the Bishop of Rochester. What these were he said he would reveal to none except to the King himself, should his sovereign command it. Not even Margaret Roper ever learnt these reasons, and he carried his secret with him to the grave. It is certain, however, that the oath as presented to them contained an affirmation of the nullity of Henry's marriage with Catharine, and of the validity of the union with Anne Boleyn. Five years before Fisher had declared before the legatine court that he was so thoroughly convinced of the validity of Henry's first marriage that he would willingly lay down his life in defence of it. The Pope's decision, so long delayed, had only recently been given in favour of the earlier marriage, so that to condemn it would have been at least an implicit denial of his authority. The letter which Cromwell sent in reply to Cranmer's suggestion that their offer to swear to the succession alone should be accepted shows how the matter stood. 'In case they be sworn to the succession (only),' he writes, 'and not (also) to the preamble, it is to be thought that it might be taken not only as a confirmation of the Bishop of Rome's authority, but also as a reprobation of the King's second marriage . . . which manner of swearing, if it shall be suffered, may be an utter destruction of his whole cause, and also to the effect of the law made for the same.'¹⁴ Evidently, then, they were imprisoned, not for the political offence of refusing to acknowledge the King's arrangements for the succession, but for their maintenance of the Pope's spiritual authority.

¹⁴ Quoted in Bridgett's *Life of More*, p. 360.

But perpetual imprisonment, though a sufficiently grievous punishment, did not satisfy the vengeance of the King, or perhaps we ought to say, as Stapleton suggests, the vengeance of Anne Boleyn. Meanwhile Parliament, obsequious as ever, had put into Henry's hands a new weapon. By the Act of Supremacy it was declared that the King was 'the only Supreme Head in earth of the Church of England, called *Ecclesia Anglicana*,' and it was made high treason to deprive the King of this title or slanderously and maliciously to write or even to speak against it. More than once commissioners were sent to the Tower to interrogate Fisher and More in order to entrap them into uttering some words which might be construed as violating the statute.

Of Fisher's replies we have not many details. His indictment charges him with having said on May 7th, 1535, before several persons that the King, our sovereign Lord, is not Supreme Head in earth of the Church of England. No other charge was preferred against him. Although he is charged with having uttered these words before several persons, yet, having regard to the injustice that was customary in such proceedings, Fr. Bridgett considers that this indictment is not inconsistent with the truth of the narrative of Dr. Hall, Fisher's biographer, which is accepted unhesitatingly by Lord Campbell in his *Lives of the Chancellors*, and has been copied into the *State Trials*. It is to this effect. Richard Rich, the Solicitor-General, came to the Tower with a secret message to Fisher from the King, saying that the latter, for the better satisfaction of his conscience, wished to know Fisher's opinion of the title of Supreme Head which Parliament had lately

conferred upon him, and that, for the trust he had in Fisher's judgment, he was very likely to conform himself to his opinion, and, if it were against the title, to retract many of his doings. Fisher, in reply, pointed to the new Act of Parliament and to the penalty it imposed upon all who might utter any word against the King's supremacy. 'To that he told me,' says Fisher, 'that the King willed him to assure me on his honour, and on the word of a King, that whatsoever I should say unto him by this his secret messenger, I should abide no danger nor peril for it; neither that any advantage should be taken against me for the same, no, although my words were never so directly against the statute, seeing it was but a declaration of my mind secretly to him, as to his own person. And for the messenger himself, he gave me his faithful promise that he would never utter my words in this matter to any man living, but to the King alone.'¹⁵ It will hardly be believed that it was on evidence thus obtained that Fisher was adjudged *maliciously* to have contravened the statute. He protested in vain against conviction upon the evidence of one single witness. The judges ruled that he was guilty of high treason in opening his mind against the King's supremacy, even though he did it at the King's express command or request.

Fisher did not deny that when challenged he had given his opinion against the royal supremacy, but, to use the words of Chapuys, 'he replied that he had not contradicted those statutes maliciously, but with truth and holy intention, as they were opposed to scriptures and to our faith.' After his condemnation he spoke

¹⁵ Quoted in Bridgett's *Life of Fisher*, p. 376.

yet more plainly, protesting against the new title as an unheard-of novelty. 'I think,' he said, 'and always have thought, and do now lastly affirm, that His Grace cannot justly claim any such supremacy over the Church of God as he now taketh upon him, neither hath been seen or heard of, that any temporal prince before his days hath presumed to that dignity.'¹⁶

Dr. Hall's detailed account of the holy martyr's fortitude and composure on the last morning of his life is very precious, but it is well-known and far too long to be quoted here. We will give only a brief portion of Chapuys' report to the Emperor. 'On the 17th (June, 1535), the good Bishop of Rochester was sentenced to death, for refusing to swear to the statutes made to the prejudice of the Pope and of the Queen; and on the 22nd his head was cut off . . . The regret and compassion of the people is inconceivable. He was very earnestly solicited, after he mounted the scaffold, to comply with the King's wish on an offer of pardon; but he refused, and he died very virtuously. There was given him as confessor one of his great enemies, the greatest Lutheran in the world, and patron of all the *diableries* here; yet he does not cease to say that one of the most holy men in the world has been put to death.'¹⁷

✓ Let us now turn back to the examinations of Sir Thomas More in the Tower. Of these we fortunately possess long and detailed accounts in More's letters to his daughter Margaret. He refused to say what he thought of the statute of Supremacy, claiming liberty

¹⁶ *Ibid.*, p. 380.

¹⁷ *Ibid.*, p. 405. Father Bridgett considers that this description can refer only to Cranmer.

of conscience, and arguing that there could be no treason or malice in keeping silence. It was not that More feared to die: his letters show that he longed for the martyr's crown, but, as he said most touchingly, 'I have not been a man of such holy living, as I might be bold to offer myself to death, lest God for my presumption might suffer me to fall: therefore I put not myself forward but draw back. Howbeit if God draw me to it Himself, then trust I in His great mercy, that He shall not fail to give me grace and strength.'¹⁸ His answers, then, were perfectly non-committal: he thought it right to give no handle to his enemies. So too when he was brought to trial he skilfully defended himself with all the resources of his knowledge of the law and rebutted with spirit the perjured evidence of Richard Rich. 'If I were a man, my lords,' he said, 'that did not regard an oath, I need not stand in this place, at this time, as an accused person. And if this oath of yours, Mr. Rich, be true, then I pray that I may never see the face of God, which I would not say were it otherwise to win the whole world.' . . . And he added: 'In good faith, Mr. Rich, I am sorrier for your perjury than for my own peril.'¹⁹ But the result of the trial was a foregone conclusion, and More was found guilty of high treason for having spoken against the King's supremacy. 'We must regard,' says Lord Campbell, 'the murder of Sir Thomas More as the blackest crime that ever has been perpetrated in England under the form of law.'

But once the sentence of death was passed there was

¹⁸ *English Works*, p. 1454.

¹⁹ *Roper's Life*.

no further reason for silence, and More spoke his mind with perfect plainness for the discharge of his conscience. 'Forasmuch as, my lords,' he said, 'this indictment is grounded upon an Act of Parliament, directly oppugnant to the laws of God and His holy Church, the supreme government of which, or of any part thereof, may no temporal prince presume by any law to take upon him, as rightfully belonging to the See of Rome, a spiritual pre-eminence by the mouth of Our Saviour Himself, personally present upon the earth, to St. Peter and his successor, bishops of the same See, by special prerogative granted, it is therefore in law amongst Christian men insufficient to charge any Christian.'²⁰ He proceeded to say that as the city of London could not make a law against the laws of the realm of England, so England could not make a law contrary to the general law of Christ's Catholic Church, and that the Magna Charta of England was that 'the English Church should be free and enjoy all its rights entire' and so the King had sworn at his coronation. He added that for England to refuse obedience to the See of Rome was the same as for a child to refuse obedience to a parent. As St. Paul said to the Corinthians: 'I have begotten you in Christ,' so might St. Gregory say to the English: 'You are my children, because I have under Christ given to you everlasting salvation.'²¹

Sir Thomas More, then, took his stand on the tradition of the Catholic Church which required union with the Holy See. In protest against schism from Rome, the centre of unity, he was ready to give his life. Like

²⁰ *Ibid.*

²¹ Bridgett's summary of Roper's account. *Life of More*, p. 424.

Fisher he died to uphold the ancient faith of England against sacrilegious usurpation.

The beautiful details of More's last days upon earth must be sought in Roper's and Stapleton's *Lives*. Again and again he was promised liberty, wealth and honour if he would conform himself to the King's will, but nothing could shake his purpose. On the scaffold, by the King's desire, he spoke but few words, but they contained the principles of his whole life. 'I have been ever,' he said, 'the King's good and loyal servant, but God's first.' His last words were the well-known jest about his beard. At one blow his head was struck off and he exchanged the miseries of this deceitful world for the martyr's glorious crown. As he used to say in his quaint way: 'A man may very well lose his head and yet come to no harm.'

So died these two noble sons of England. Europe was aghast at the news of their death. The Emperor, Charles V, said that had he been the fortunate possessor of two such faithful councillors he would rather have lost the strongest city in his wide dominions than suffer himself to be deprived of them. The moral effect of their death was tremendous. Stapleton relates that More's death was a constant subject of conversation amongst the Catholic boys of his generation, and that his noble example fired their zeal for the Catholic faith. It is certain that Fisher's example was powerful in encouraging the Bishops of Elizabeth's reign to stand firm, so that instead of cringing to their sovereign as did the Bishops and clergy of Henry's reign, they suffered deprivation and imprisonment rather than fail in their allegiance to the Catholic Church. Some countries, such as Denmark and Sweden, seem at the Reformation

to have acquiesced without a protest in the will of their sovereign and to have fallen away from the Church without the slightest struggle. That England can show so glorious a line of noble martyrs must, under God, be put down, in large measure, to the heroic constancy and the stirring example of Blessed John Fisher and Blessed Thomas More.

V

THE REFORMATION PARLIAMENT (1529-1536)

BY THE REV. J. F. McNULTY, M.A.

IN order to see in true perspective the events which led to the severance of the union between England and the Papacy, and consequently to the sufferings and death of so many of our English martyrs, it is necessary to keep constantly in mind the circumstances of the time during which these events took place. The great tragedy for which the Parliament of 1529 to 1536 was so largely responsible cannot be understood if it is measured and judged only by the standards and ideas of the period in which we live. The one purpose of the historian is to convey the truth, and historical truth will never be conveyed if the past is judged merely from the standpoint of the present, if, in the case which we have to consider, events which occurred in the sixteenth century are judged from the point of view of the early twentieth.

In the first place it must be borne in mind that the theory of the Three Estates of the Realm—Lords Spiritual, Lords Temporal, and Commons—forming together a unified organ of government was never realized in England. The clergy (except for those who attended Parliament as royal vassals rather than as priests) met independently, though as a rule concurrently with Parliament, in their own Convocation,

and between the two bodies there was regular communication.

Secondly, we must not consider Parliament in Tudor times as being the freely elected and (more or less) democratic body which we know to-day. Under the Tudors, Parliament was largely 'packed' with the nominees of the monarch. For many years of his reign Henry VIII did not summon Parliament at all, and when he did it was carefully controlled and cleverly manipulated by him and his ministers. As Lord Herbert of Cherburg says in his *Life and Reign of Henry VIII*, it was the King's 'masterpiece' to make use of his parliaments. Commenting on Henry VIII's parliaments, Sir Courtenay Ilbert writes as follows in an essay on 'Parliament' recently reprinted: 'Henry VIII accepted Henry IV's principle that the King should rule through parliament, but worked that principle in an entirely different way. He made parliament the engine of his will. He persuaded or frightened it into doing anything he pleased. Under his guidance parliament defied and crushed all other powers, spiritual and temporal, and did things which no King or parliament had ever attempted to do, things unheard of and terrible.'¹

Strong personalities themselves, the Tudor monarchs were encouraged in their absolutist ambitions by events at the close of the fifteenth century in England, which left them in an unusually strong position. The great wars had resulted in the breaking of the power of the ancient baronage; they who took the sword had perished by the sword. The old nobility had practically disappeared at the close of the Wars of the Roses and

¹ *Parliament, its History, Constitution and Practice*, p. 25.

a new nobility was springing up, owing its existence, and therefore giving its support, to the King himself. There were 'checks' on the monarch's absolute power, it is true, as Hallam points out, but since the Tudors were as clever as they were strong, the 'form' of constitutional government was retained in theory, but in fact the monarch's power was practically absolute.

With Henry VIII—able, strong and unscrupulous—working the machinery of government according to his own will and caprice and with a new nobility subservient to the King, the Church found itself practically isolated in its struggle against the encroachments of the civil power, and the fact that many of the leading ecclesiastics looked to the King for preferment made their opposition to his unjust demands—at least in appearance—less sincere and certainly less effective.

The Parliament, which later came to be called 'the Long Parliament of the Reformation' or 'the Reformation Parliament,' began its sittings in November, 1529, and was not dissolved until April, 1536. It is remarkable not only for its length, but also for the unique importance of its business. In its seven sessions it brought about a complete revolution in the relations of Church and State in England, and more than fifty of our martyrs were put to death as a result of its statutes. Early in its opening session the Parliament gave evidence of its servility by releasing Henry from his debts (amounting to £150,000), and from his own solemn promise to repay a recent forced loan. The Commons then opened an attack on the clergy by passing a series of bills against pluralities, and non-residence and against the fees charged for probate of wills and burials. This 'attack on the outworks' was

undoubtedly inspired by the King and his ministers, for Henry had previously announced his intention of bringing about certain reforms in the Church. The statute in restraint of pluralities is noteworthy as containing a clause which links it with the more important measures of this Parliament. This clause provides that dispensations from its terms should be void, 'but that in certain circumstances dispensations might be bought—the prohibition being aimed at dispensations from Rome, and the permission contemplating dispensations from the Crown.'¹

Bishop Fisher ('openlie in the Parliament chambre,' says Hall, made a significant protest against these bills. 'My Lords,' he said, 'you see daily what bills come hither from the Common House, and all is to the destruction of the Church. For God's sake, see what a realm the Kingdom of Boheme was, and when the Church went down, then fell the glory of the Kingdom. Now with the Commons is nothing but "Down with the Church," and all this meseemeth for lack of faith only.' We need not believe that the good Bishop spoke these precise words, but it is true that he made a protest and was duly reported by the Speaker, Thomas Audley, to Henry, who rebuked Fisher and warned him to speak with more moderation.

Concerning this first session of the 'Reformation' Parliament, the late Professor Gairdner writes as follows: 'The spirit of the whole legislation was bad, and was clearly intended to punish the only power in the land which could be trusted to denounce wrong in high places with something like authority.'²

¹ Cf. Tanner: *Tudor Constitutional Documents*, pp. 13-14.

² *History of the English Church in the Sixteenth Century*, p. 103.

In the following year, Parliament did not meet, but in September the King issued a proclamation against the procuring of bulls from Rome. The work was also begun, at Cranmer's suggestion, of obtaining the opinions of the Universities as to the nullity of Henry's marriage with Katharine. In his memorials of Archbishop Cranmer, Strype tells us that the King had previously 'sent to six of the best learned men in Cambridge, and as many of Oxford, to debate the question, "whether it were lawful for one brother to marry his brother's wife, being known of his brother?"' These learned men agreed fully with one consent that it was lawful, with the Pope's dispensation, so to do.' Subsequently, however, as the result of manipulation in some cases and bribery in others, both Oxford and Cambridge and a number of French and Italian universities gave their decision in accordance with Henry's desires.

Parliament reassembled on January 16th, 1531, and Convocation five days later. Henry had already begun the policy of putting pressure on the clergy and through them on the Pope. Wolsey had been indicted under the Statute of Praemunire of 1393 for exercising legatine jurisdiction: his 'guilt' was now held to extend to the whole body of the clergy. This charge against Wolsey and the clergy was simply a trick. The Great Statute of Praemunire referred only to a few special kind of Bulls, and the sovereign had the power—and Henry knew it—of dispensing. In any case, Wolsey had received his bulls from Rome with the entire approbation of Henry himself. The question which Convocation had now to consider was whether they could compound with Henry for their 'offence.' At

first they offered £40,000, but this was refused as insufficient. In the end they bought pardon by handing over the enormous sum of £100,000 'in consideration of the King's great services against heretics.' In the document recording this composition, Henry insisted on the inclusion of five passages, in two of which an attempt was made towards an assertion of the spiritual supremacy of the Crown.

1. Henry demanded that Convocation should recognize that it was through his protection that they were secure from the attacks of the new Gospellers and able to minister 'in the cure of souls committed to his majesty.'

2. Henry insisted that the clergy should recognize him as Protector and Supreme Head of the Church of England.

Convocation at first resisted the demand to acknowledge the King as 'Protector and Supreme Head of the Church,' and the Upper House debated the matter during three sessions without coming to any agreement. In the end Archbishop Warham suggested the words 'of the Church and Clergy of England, whose especial Protector, single and supreme lord, and, *as far as the law of Christ allows*, even Supreme Head we acknowledge his Majesty to be.' This formula was accepted by the Upper House and passed by the Lower, and the grant of £100,000, payable in five yearly instalments, agreed to. The Convocation of York secured pardon by paying £18,000, and another act (22 Hen. VIII, cap. 16) was passed pardoning the laity from their offences against the Statutes of Provisors and Praemunire. A statute granting pardon to a whole people is without parallel in history.

Writing to his master on February 14th of this year, the Spanish ambassador says, 'the clergy have been compelled to acknowledge the King as head of the Church; which is in fact the same as though he had been declared Pope of England. . . . No one dare henceforth dispute with the King the extent of this reserve' (*i.e.* the 'saving clause' above). Later he writes, 'Anne Boleyn and her father are the direct cause of the proclamation of the sovereignty of the King over the Church.'

The third session of Parliament opened in January, 1532. On February 24th, Archbishop Warham made a protest against the attacks made by Parliament since 1529 upon ecclesiastical authority and the prerogatives of the Province of Canterbury. In the following August he died, and was succeeded in March, 1533, by Thomas Cranmer. Early in this session the Commons began discussing measures against episcopal authority. Ultimately they presented to the King a list of grievances in a bill known as 'A Supplication against the clergy.' There can be no reasonable doubt that this petition originated in the King's Court, as is shown by the fact that there are to be found amongst the State Papers four corrected drafts of it, the corrections being generally in the hand-writing of Thomas Cromwell, who had been added to the Privy Council in 1531. The 'Supplication' complains first of the power of Convocation to frame canons and exact penalties without the consent of the King and the laity. Secondly, it complains of delays in the proceedings of the Courts of Arches and Ordinaries and of excessive fees and exactions by the clergy. Complaint is made also of subtle and vexatious examinations for heresy. We

shall be well within the mark (according to the view of a modern non-Catholic historian) if we consider the 'supplication' as representing the worst that can be said against the clergy. It is a bitter attack on Canon Law and clerical jurisdiction generally, but as a criticism of conduct it amounts to nothing. The Bishops returned a moderate answer and not altogether unfavourable, but this did not save them, as the King was determined to gain his end. This 'Answer of the Ordinaries' contained the assurance that Convocation was already preparing measures for reform, which was the case. The King sent it to the Commons with a hint that it should not be accepted and, of course, the hint was taken.

The King now interfered with a bill of three articles to which the clergy were required to submit: (i) that no canon or ordinance should be put forward without the King's consent; (ii) that a committee of thirty-two be chosen by the King to revise the ancient canons and abrogate such as were contrary to the royal authority; (iii) all canons shall be approved and stand good when ratified by the King's consent.

These demands were submitted to Convocation by Foxe, Provost of King's College, and, under threat from the King, were finally agreed to by the Bishops, except Bishop Clerk of Bath and Bishop Fisher, who was absent, probably through sickness. The document in which these articles were incorporated came to be known, and rightly known, as 'the Submission of the Clergy,' the preamble saying that the clergy make these concessions out of confidence in the King's 'excellent wisdom, princely goodness, and fervent zeal in the promotion of God's honour and the Christian

religion, and also in your learning, far exceeding in our judgment the learning of all other Kings and princes that we have read of.' It was a disgraceful surrender and brought to an end the self-government of the Church in England, for by their submission the clergy 'contracted themselves out' of their ancient independence, in agreeing to submit the control of their own canonical legislation to the royal authority. In our own day Professor Maitland was quick to see the true significance of the Church's loss of control of its own Canon Law. Referring to the royal prohibition at a later date of the study of Canon Law at the Universities, he says: 'the great breach of continuity has yet to be noted. The academic study of Canon Law was prohibited. No step that Henry took was more momentous. He cut the very life thread of the old learning.'

As a result of the 'Submission,' Sir Thomas More resigned the Chancellorship. Chapuys, writing to the Emperor says: 'The Chancellor has resigned, seeing that affairs are going badly, and likely to be worse, and that if he retained his office he would be obliged to act against his conscience and incur the King's displeasure—as he had already begun to do, for refusing to take his part against the clergy. Everyone is concerned, for there never was a better man in office.'²

During this year (1532) the King, through Parliament attempted to 'starve' the Pope into surrender in the matter of the annulment of his marriage by threatening

¹ *Common Law in the Church of England*, p. 92.

² *Letters and Papers*, p. 240.

to cut off supplies in the shape of firstfruits. So the First Annates Act was passed: it is the first statute of the 'Reformation' parliament bearing on finance and must be looked upon as a clever manoeuvre to bring the Pope to terms. It is a permissive act, the King being empowered to deprive the Pope of firstfruits if the latter persist in his refusal to annul the marriage with Katharine. A most important feature of the Act is that it provides machinery for the consecration of Archbishops and Bishops without bulls from Rome and concludes with a defiance of the Pope's power of excommunication and interdict. The Act was opposed by all the Bishops in the Lords and by a considerable party in the Commons. It came into effect as from July 9th, 1533, when it became clear that Rome would not concede anything in favour of Henry's separation from his lawful wife.

In January, 1533, Henry secretly went through the form of marriage with Anne Boleyn, in anticipation of a judgment of the English Courts pronouncing the marriage with Katharine invalid. It was important now to prevent the latter taking the case to Rome by appeal. Hence early in the fourth session of Parliament the Statute for the Restraint of Appeals was passed 'in spite of bold opposition by the Bishop of Rochester.'¹ This Act declared the Crown of England to be 'imperial' and the nation a self-contained and independent body in itself, the body spiritual thereof having power to determine all questions of law ecclesiastical and spiritual. The purpose of the Statute is to deny the subjection of the insular (imperial) power to any external authority, temporal or spiritual, and it

¹ Bridgett, *Life of Blessed John Fisher*, 224.

thus contains the fundamental principle of Henry VIII's Reformation. The island nation is to have an island church. The Act says: 'That several Kings . . . had by laws preserved the liberties of the realm from the encroachments of Rome, wherefore be it enacted that all such causes, whether relating to the King or to his subjects, shall be determined within the kingdom in spite of appeals to or inhibitions from Rome.' Any person securing such censures is to incur the penalties of *Praemunire*. On May 23rd, 1533, in his archiepiscopal court at Dunstable, Cranmer pronounced the marriage with Katharine to be invalid, and five days later at Lambeth declared the validity of the King's marriage with Anne Boleyn.

In the year 1534, came the definite rupture with the Holy See. After Cranmer's decision in the question of the King's marriage the Pope threatened Henry with excommunication and commanded him to take back his wife. The fifth session of Parliament was held in this year and four important acts were passed. The first was an 'Act for the Submission of the Clergy' which ratified the three articles embodying the 'submission' made by Convocation in 1532. Appeals to Rome were now absolutely forbidden: henceforth in the last resort they were to be from the Archbishop to the King in chancery. By the 'Second Annates Act' the Annates Act of 1532 was confirmed, with additional clauses providing for the election of Bishops by *cong   d'elire*. For the future no Archbishop or Bishop was to be presented to the Pope for confirmation or pay annates, but at every vacancy of a Bishopric the King shall send to the cathedral chapter a licence to elect the person, 'and none other,' nominated in the

accompanying letters missive.¹ If they defer to do so for twelve days the King shall nominate by letters patent, the person elected to swear fealty to the King and to be commended to the Archbishop for consecration. Bishops refusing to consecrate fall under the penalties of *Præmunire*. The third important act passed in this year was an act forbidding papal dispensations and the payment of 'any pensions, censes, portions, Peter-pence or any other impositions' to the see of Rome. In this year also was passed the first of Henry's four succession Acts. This confirmed Cranmer's decision in the question of the validity of the King's marriage with Katharine, acknowledged the marriage with Anne Boleyn and entailed the crown upon her children. All persons of full age were to be required to take an oath to observe this Act, it being misprision of treason to refuse the oath. The oath actually tendered differed materially from the intention of the Act in that it contained a virtual denial of the Papal authority. It was refused by Bishop Fisher and Sir Thomas More, and they were consequently imprisoned. Writing to Cromwell about this time, Cranmer attributes their refusal of the oath to 'either the diminution of the authority of the Bishop of Rome, or else the reprobation of the King's first pretended matrimony.'

During a visitation of his province in this year Cranmer obtained the approval of the body of the

¹ In 1848 a member of the Hereford chapter wrote to Lord John Russell to say that he could not in conscience vote for Doctor Hampden, who had been nominated by the King to the vacant See. Lord Russell's laconic reply is quite in accordance with the legal position set up in 1534: 'Sir, I have the honour to acknowledge your letter of the 20th inst. in which you announce your intention of breaking the law.'

clergy to a declaration that 'the Bishop of Rome has no greater jurisdiction conferred upon him by God in this Kingdom of England than any other foreign bishop.' A similar declaration was obtained from the Universities and was demanded also from the monks and friars. Many who resisted were imprisoned.

Parliament assembled for its sixth session in November, 1534. The news had now been published that Rome had annulled Cranmer's judgment, and by royal proclamation the Pope's name was ordered to be erased from all service books. The clergy having already renounced the Papal Supremacy, Parliament passed the first Act of Supremacy, declaring that the King is, and ought to be, Supreme Head of the Church of England, and is so recognized in Convocation. 'Yet nevertheless for confirmation and corroboration thereof, be it enacted by authority of this present Parliament that the King Our Sovereign Lord, his heirs and successors Kings of this realm, shall be taken, accepted and reputed the only Supreme Head on earth of the Church of England called *Ecclesia Anglicana*. Recognizing the Supreme Headship of the monarch as something already existing, the Act extends to the monarch the power of ecclesiastical visitation. It is in fact a strong declaration in statutory form of the position already assumed by the King with the words 'as far as the law of Christ allows' left out. In January 1535, the title 'on earth Supreme Head of the Church in England' was added by an order in Council to the King's style, and it is said that even Luther was shocked. 'It was,' writes Professor Gairdner, 'by this extreme and, it must be owned, altogether tyrannical exercise of royal and parliamentary authority

that the principle of an Established Church came into existence.¹

By the Treasons Act it was made high treason not to admit in words the lawfulness of the royal supremacy, and by the third Annates Act firstfruits and tenths were revised and united to the Crown for ever.

The schism was now complete. The Church in England had now definitely and officially passed from under the authority of the Pope to that of the King. England was severed from the unity of Christendom and a brand new Act of Parliament Church was set up. Henry had been granted the moneys of which the Pope had been deprived and now began the plundering of the monasteries, which added to the wealth of himself and his courtiers. In the last session of the 'Reformation' Parliament (1536) an Act was passed dissolving the lesser monasteries, *i.e.* those of the value of £200 per annum or less. The right of visitation suggested years ago by Wolsey and granted to the King by statute in the Act of Supremacy was now exercised, with the result that no less than 376 religious houses were dissolved, and, to quote the Act for dissolution, 'it is also enacted by authority aforesaid, that the King's Highness shall have and enjoy to his own proper use all the ornaments, jewels, goods, chattels, and debts which appertained to any of the chief governors of the said monasteries or religious houses.'

The 'Reformation' Parliament was dissolved on April 14th, 1536.

Reflection on the tragic events of these seven years,

¹ *Lollardy and the Reformation*, I, 303.

which led first to schism, then to murder, and lastly to robbery, gives rise to a number of questions—questions to which a definite and complete answer cannot always be given. The first and most natural question is, what view did the people of England take during the Middle Ages regarding the Papal Supremacy? It is certain, as a previous speaker has pointed out, that the Roman Canon Law—the ‘Jus Commune’ of the Roman Church—had full sway in England for centuries before the Reformation. A distinguished son of this University—the late Professor Maitland—has demonstrated this, and his conclusions are not likely to be controverted. It was a Pope who sent Augustine to preach Christianity to the English, it was a Pope also who sent Theodore to organize the Church in England, and when later Popes issued decretals and declared them binding on the whole Church they were accepted as a matter of course. It is untrue to say that in the matter of the Canon Law the English Church was ‘eclectic’ or that the law had force in England only in so far as it was ‘received.’ In a lecture published in a previous volume of this present series it has been amply shown ‘that the Church of England recognized its entire dependence upon the Mother Church and obeyed the laws of the latter as a matter of course, without deeming any other course of action possible.’¹ It is clear, too, that the supremacy of the Pope in spiritual matters was acknowledged in England as of divine right, *i.e.* not merely *de facto* or *de jure ecclesiastico*, but *de jure divino*. The English Kings, however fiercely from time to time they challenged the Pope’s

¹ *The Papacy*, p. 145.

demands in other matters, always acknowledged his authority 'in spiritualibus.' Thus Henry III, writing to Bishop Grosseteste, says, 'My Lord Bishop . . . you may be assured that always and in all respects we shall show all obedience, fidelity and devotion to the Pope as our spiritual father; and the Holy Roman Church as our spiritual mother. God forbid that anything should separate us from devotion to our spiritual father and mother.' Later, in a letter from Edward II, directed to the Sacred College during the vacancy of the Holy See, we have clear evidence of what was the belief in England at the time regarding the Papal Supremacy. 'When Jesus Christ the only-begotten Son of God had consummated the mystery of man's redemption, and was about to return to His Father, lest He should leave the flock He had bought with the price of His blood bereft of the government of a Shepherd, He delivered over and entrusted the care of it, by an immutable ordinance, to Blessed Peter the Apostle, and in his person to his successors, the Roman Pontiffs, that they may govern in his succession. He willed that the Roman Church who . . . presiding as the Mother and Mistress of all the faithful, holds, as it were, the place of God upon earth, should by salutary teachings, direct the people of the said flock, scattered over the whole world, in the way of salvation.'¹

During the century preceding the accession of Henry VIII there is abundant evidence to show that England was firm in its loyal acceptance of the supremacy of the Pope in spiritual matters. This is seen at the Council of Constance in 1417, when the

¹ Cf. Wilkins, *Concilia*, II, 450. 1737 edition.

English Bishops and Abbots made a strong protest against a suggestion put forward by France that England should be considered as part of Germany and should not be allowed an equal vote with other countries. 'The Kingdom of England,' the protest asserts, 'has never swerved from its obedience to the Roman Church; it has never tried to rend the seamless coat of our Lord; it has never endeavoured to shake off its loyalty to the Roman Pontiffs.' Ten years later Pope Martin V, in a letter to Archbishop Chicheley, asserts that the Roman Pontiffs have supreme authority, and that this authority is of divine institution, a contention which is admitted by the Archbishop. A letter written at the same time by the University of Oxford to the Pope says, 'We recognize in your beloved person the true Head. We profess without doubt and from our hearts, that you are) the one supreme Pontiff, the Vicar of Christ on earth and the true successor of St. Peter.' As the learned Monseigneur Baudrillart truly says, 'Far from desiring a separation from Rome, the English Church and people of the sixteenth century seemed to have forgotten many of their grievances against the Papacy. In 1520 there was absolutely nothing to show that England would separate herself from Catholic unity.'¹

Another question which naturally suggests itself is: how was it that the representatives of the Church acquiesced so easily in the doings of Henry and his Parliament? One explanation is, no doubt, that with a few honourable exceptions the Bishops owed their position to the favour of the King rather than to any

¹ Baudrillart, *Lectures on the Catholic Church*, p. 100.

personal qualifications to be rulers in the Church. As a body they were ill-fitted to cope successfully with a revolution such as was actually brought about. Moreover, with the rise of the new baronage, as we have seen, the Church in Henry's reign was in an unusually isolated position, alone to fight against the King and his Parliament. At the same time there is evidence to show that the Bishops did not fully realize the significance of Henry's demands. It must have been incredible to them that Henry was seriously aiming at personal control in matters spiritual as well as temporal; such a thing was too bad to be true. For the most part they appear to have looked upon the dispute with Henry as an aggravated form of an ancient quarrel: they did not realize that Henry's struggle differed not merely in degree, but also in kind from the disputes between royalty and the Church in former times. Moreover, personally subservient as many of them were to Henry, they may have salved their consciences in the hope that in a subsequent reign the whole matter would be straightened out.

Some writers have been disposed to censure Pope Clement VII on account of his delay in giving a definite decision in the matter of Henry's marriage with Katharine. Clement was a holy, learned and industrious man, but, as has been pointed out, he was not a Hildebrand or a Boniface. As regards the question of Henry's marriage, he was courageous and consistent throughout, and no one can help but admire his patience and constancy, in spite of the browbeating and extreme rudeness shown to him by Henry's emissaries. The Pope was ready to do all that was possible to satisfy the English King, but he insisted always that

Katharine had a case, and that before he gave a decision her case must be heard. Justice, not expediency, was Clement's guiding principle, and the Queen must have justice as well as Henry. It is easy to criticize the Pope and to say that he ought to have announced his decision sooner than he did, but it must be remembered that England was not the Holy Father's only anxiety. Heresy was making headway in Europe, and Rome itself had been sacked by imperial troops in 1527. Moreover, the Popes had come to look upon the Christian kings as their accepted champions against heresy, and Clement was therefore loath to lose the friendship of the King of England at a time when he needed all the help and encouragement possible to stem the tide which was threatening to overwhelm the Church.

Henry VIII himself was indeed at first a pillar of orthodoxy, and it is most probable that he might have proved himself an effective opponent of heresy and schism had he fulfilled the promise of the first years of his reign. But with the course of time the good traits which men like Bishop Fisher found in his character became obliterated by his own uncontrolled passions and by the influence of unscrupulous advisers. ¶It is indeed safe to say that the work of the 'Reformation Parliament' was brought about by the wicked desires of the King and the ability of Cromwell and Cranmer which was placed at the service of the King for the gratification of those desires. Cromwell was indeed Henry's evil genius. At the critical moment he was the real power behind the throne, and in 1533 we find the Venetian ambassador writing 'Cromwell rules everything.' Cromwell's views

of statesmanship were taken from the 'Prince' of Machiavelli, and his one aim as Henry's minister was to study and anticipate all his master's wishes and caprices. It was Cromwell who suggested that if Henry could not get his marriage annulled by the Pope he should dispense with the Pope altogether and make himself Supreme Head of the Church in England.

Cranmer, a weak man rather than a vicious one, had expressed himself when at Cambridge in favour of the King in the marriage question. Henry did not forget this, and put Cranmer forward as his nominee for Canterbury after the death of Archbishop Warham. The Pope had been more favourably impressed with Cranmer than with other English churchmen with whom he had come into contact, and so granted the necessary Bulls, which he certainly would not have done had he known more of Cranmer's history and character.

It may with justice be said that the disaster of the 'Reformation' in England is mainly to be attributed to the unworthy ambitions and designs of these three characters. But wherever we lay the blame, and however much we blame, Catholics in England to-day will not forget their debt of gratitude to the martyrs to whom, under God, they owe the priceless treasure of their faith. Like these heroes—'God's gentlemen' we may justly call them—they will be loyal to their faith and loyal also to this country for which, with the very highest and truest loyalty and patriotism, the martyrs may be said to have died. The true patriot is one who strives to serve, even unto sacrifice of self, the highest interests of his fellow countrymen. Tried by this test, who were the true patriots? Surely not

the Cromwells, the Cranmers and the Cecils—but Fisher and More and Houghton, Maine and Campion and Heath, who gave up worldly honours, place, ambition and even life itself in vindication of that high patriotism which is the very essence of Christianity, and which is summarized by its Founder in the words: 'Render to Cæsar the things that are Cæsar's, and to God the things that are God's.'

VI

POPULAR RESISTANCE TO THE NEW RELIGION

BY THE LORD BISHOP OF CLIFTON

IT was a thesis long taught and accepted by our countrymen that our so-called English Reformation was naught else than the spontaneous outburst and uprising of an indignant and exasperated nation against the tyranny and corruption of Rome, and that same old thesis, though largely discredited to-day, is not yet defunct. It is for us Catholics to point out in season and out of season that to describe the Reformation as the triumph of Protestantism is but a mark of ignorance, since it is a description which displays ignorance of this undisputed fact, that the religious changes of the sixteenth century, here as elsewhere, were but a lever to aid in carrying out those political, social and economical revolutions, individualistic and anti-corporate, which had long been brewing before Protestantism in any form showed its face. Even a non-Catholic writer in the *Cambridge Modern History*¹ confesses that 'in its essence the Reformation was due more largely to financial than to religious considerations.' And our own Merki, in his fine work on 'Coligny,' thus warns his readers: 'We must never allow it to be said that the Reformation of the sixteenth century was a purely religious movement. This is the convenient thesis of modern Protestantism, which juggles with the word

¹ Vol. I, *The Renaissance*, p. 667.

whilst we remain apathetic. It was above all a political and social movement under the mask of religion.'¹ And what was true of France and other countries was true of this. That our humble forefathers in the early sixteenth century chafed at times here and there, as in London and the eastern counties, under clerical dues and clerical domination, may be very true, but that they were, on the whole, in any way desirous of doctrinal changes is nowadays denied by the best informed authorities.² Wycliffism had long been dead, Lutheranism found no welcome here, and there was no sign of any approaching disruption. But still it is incumbent upon us to give an answer to the objection that has often been made. How came it that when Henry VIII sought to impose his spiritual headship upon the Church, thus opening the floodgates to a further inrush of new heresies under Edward VI and Elizabeth, resulting in the establishment of a new and national Church, he met with no universal and stout opposition? To give the right answer to this objection, and to account for the tragedy itself, for tragedy indeed it was, it will be necessary to present in brief review the principal actors that took part in it, or were affected by it. These were the people, the Parliament, the clergy, the nobility, and the King.

The people, much reduced by the Black Death, and now estimated as numbering something less than five millions in Henry's reign, were, outside the towns, wholly agricultural, but the old bond between the feudal lord and his retainers had given place to the commercial relation between landlord and tenant.

¹ *Coligny*, p. 472.

² Jas. Gairdner, *Lollardy and Ref.*, I, p. 5, etc.

They carried no weapons but bow and bill. The process known as emparkment had already begun. Eviction was coming in, and 'sheep devoured men.' Depopulation ensued, and the rise of the vagabond class, 2,000 of whom were hanged annually by Henry VIII and 300 or 400 by Elizabeth.¹ Yet the opulence of the country made a deep impression on that keen observer, Polydore Vergil. As for the people, he calls them 'most Christian and most religious,' and goes so far as to say that there was 'no nation in his day which observed with greater seemliness and diligence all that appertained to divine worship,' adducing as proof thereof the splendour of their churches and the throngs which crowded therein to Mass.² Naturally there were some who were slack, and few communicated, as was then the custom, more than once a year. They paid their Peter-pence and prayed for the Pope at the bidding-prayer in the Mass, but heard not much of him, and he did not disturb them. He had long had his *legatus natus* at Canterbury. They knew nothing of the scandals of Rome or the Renaissance, certainly far less than we do, to whom contemporary diaries and archives have yielded up their secrets. They were amazed, no doubt, when first they heard the Pope's supreme pastorate denied by priests and bishops, but they were not theologians, and their amazement wore off as the pulpits continued to resound with jibes at the usurped authority of the 'foreign bishop.' The oath of supremacy was not tendered to them, and meantime the Catholic worship, all during Henry's reign, went on as it had ever done. Thus were they cheated. The

¹ W. Harrison (d. 1593), *Description of England*.

² *Hist.*, lib. I, p. 23 (ed. Leyden, 1651).

political power of the Pope had often been challenged before, and most good folk regarded the clash as a political one which would pass away as many another had done. It was only a few years later when they saw abbeys pillaged and blown up, abbey lands squandered among the King's favourites, and the sources of relief and charity cut off in every county, that they were stung into the sense of a deeper change and into such sporadic resistance as their feeble means permitted.

Parliament under the Tudors was far from being what it is now. The House of Commons was not really an elective body. The Sheriff, who was to preside at an election, received with his writ a letter setting forth the names of those whom the King wished to be elected as knights and burgesses, and the royal candidates were not opposed. This was one of the grievances of the Pilgrims of Grace in 1535. The House of Lords consisted of decayed or newly created nobles, subservient courtiers, bishops without backbone, whose servility to the hectoring despot sank so low that they gave him power to will away the Crown as though it were the personal property of the son of a Welsh upstart. At his caprice they multiplied treasons, and spies and informants abounded.

With the exception of the Blessed John of Rochester, the bishops were a supple and a sorry pack. For over a hundred years, since what has been called 'the pre-arranged deal between King and Pope' at the conference of Bruges in 1375,¹ the filling of vacant sees had been in the King's hands. The King presented, and the Pope appointed as a matter of course. Good

¹ Workman, *Wyclif*, I, p. 246.

appointments were indeed thus made, but too often a bishopric was the reward of services rendered to the King, at home or abroad, and we get thus a set of courtier prelates, devoted rather to the policy of their earthly master than to the duties of their spiritual office. Gardiner of Winchester, Fox of Hereford, and Knight of Bath and Wells, Stokesley and Bonner, both of London, Lee of York, Longland of Lincoln, and Lee of Lichfield, both these last the King's confessors, all earned promotion by taking the King's side in his nullity suit. Gardiner's personal insolence to Clement VII at Orvieto in 1528,¹ and Bonner's at Marseilles in 1533,² were in some part atoned for by their imprisonment after Henry's death. Tunstall of Durham, and Sampson of Chichester, and Gardiner too, took up their pens to write in defence of the royal supremacy, yet, as theologians, they must have known of the definition of the Council of Florence in 1439, and of the condemnation of Wyclif's anti-papal teaching by the Council of Constance in 1418. They had heard, too, of the '*Unam Sanctam*.' Then consider the abbots. They all took the oath of supremacy, even the abbot of Glaston. What were the poor people to say who could neither read nor write? Since the crippling of the Papacy at Avignon and the rise of the national spirit in the countries of Europe, Church and State had everywhere become so interlocked that the dividing lines of the two were very much blurred. In Wolsey it would be hard to say where the statesman ended and the churchman began. Even in the Papacy itself, during the previous fifty years, there had oft been

¹ Pocock, 'Records, &c.,' Vol. I, pp. 120-135.

² Friedmann, I, 253.

times when the successor of the Fisherman figured rather as a peninsular prince than as the ruler of the Church Catholic.

Such of the nobles as still survived the Wars of the Roses had lost the military power of their order. They were not men of the same mould as those in whose seats they sat, and the country had had its fill of revolution and bloodshed. All of them had been cowed since Buckingham's execution in 1521. When then Parliament, that is to say, the already rich nobles, the upstart adventurers, the squires and big merchants, with just one man of learning among them, Blount, Lord Mountjoy (a friend of Erasmus), heard the King's final demand for the Church's supremacy, knowing the man they had to deal with, they acquiesced without much demur. Then it was that Henry, having annexed all Papal powers to the Crown, suddenly found himself empowered to do in England whatever the Pope had done, and therefore to dissolve all religious houses and alienate their lands, those lands held for ages by religious men and women in frankalmoigne and guaranteed to them by many a Papal and royal charter. He proceeded to dissolve and alienate, but instead of consolidating the power of the Crown by establishing for it a huge, permanent income, he frittered most away by grants and easy sales amongst his supporters, that already powerful and opulent class, which had long cast greedy eyes on the Church's wealth, and whose cry was to be for generations, 'No disgorgement, no parley with Rome!' It is of course true that under Mary the Catholic, the kingdom returned to the Papal allegiance, but only after Julius III had sent to Cardinal Pole a first, and then a second bull, which latter arrived

just in the nick of time, empowering him to condone all alienations of Church property. Yet, as Pole was careful to explain, this only meant that the holders of such property would not be sued for recovery in the Church's courts, not that individual consciences might henceforward rest at ease. Next year Julius died, and there appeared a bull of Paul IV, revoking in general such concessions.¹ This bull our gentry got wind of, and so when Queen Mary, Philip, her husband, having set sail for the Low Countries, pressed in her third Parliament for the restoration of tithes and first-fruits, to succour indigent clergy, there was a sharp debate in the Commons, with the result that Mary's measure was carried, with but a slender majority. Soon both Pole and Mary died, and Ann Boleyn's daughter appears on the scene, the new queen of England, 'artist to her finger-tips,' as Maitland calls her,¹ anxious above all things about the validity of her title. At once these patriotic and obliging gentry merrily turn their coats again and vote for her supremacy and new liturgy—but they know that in voting thus for one queen, they are voting also against another, the Catholic queen across the border, who in the eyes of many has a better title to the English throne, and being nine years the junior of Elizabeth, may easily survive her. Thus they entrench themselves again within their broad acres, secure, for the present at least, from prosecution in a foreign court, raising the old cry anew, 'No disorgement!' But though the Scottish queen was finally murdered and a Protestant king succeeded to Elizabeth, it was long before the spectre

¹ Cf. *Pastor*, Vol. VI. (Ital. transl.), p. 560.

¹ *Camb. Hist.*, Vol. II, p. 565.

of restitution was laid. In the year 1686, James II published at his own expense a sermon delivered by one of his chaplains, Philip Ellis, O.S.B., in which the preacher disclaimed in the name of the English Benedictine congregation, any pretension to the lands which their predecessors of old had possessed. Nay, as late as the year 1826 our Vicars Apostolic thought it well to disavow any 'pretended right to the property of the Established Church in England,' which they declared to belong to those on whom it was settled by the law of the land.¹ This was our last authoritative utterance on 'that great business arrangement of the sixteenth century which created a new landed aristocracy by means of the revenues of the mediæval Church.'²

As for the King himself, he was absolutely independent of the great barons of the land, no longer merely *primus inter pares*, as he had been in mediæval days. Moreover, in the event of a conflict between himself and either barons or people, he had at his sole command that new invincible firearm, cannon. It had saved Henry VII at Blackheath in 1497, it saved Henry VIII in 1536. Of his qualities, good or evil, little need be said here, save that he could be relentlessly-cruel, false and faithless to his word when it suited him and, despite Prof. Pollard's defence of the royal conscience,³ was wholly given up to self-deception. 'Henry was a liar to his own conscience,' wrote Paul Friedmann, whose *Anne Boleyn* is free of all flattery. 'He was a thoroughly immoral man, and he dared not

¹ Ward, *Eve of Emancipation*, III, 169.

² H. A. L. Fisher, *Pol. Hist. of England*, p. 447.

³ *Henry VIII*, p. 333.

own it to himself.'¹ It has been doubted if towards the end of his life he was wholly sane, and with reason. For we are assured on sound medical authority that for more than twenty years before even Elizabeth was born he suffered from a dread infection from which he never recovered, and which in the end killed him.² This was that strange and new disease, which supplied a subject to his contemporary Fracastoro, of Verona, physician and poet, for his masterpiece, *De Morbo Gallico*.

This brief review of the state of parties concerned in the tragedy of England's so-called Reformation disposes us to expect what in fact we soon discern, namely the utter hopelessness attending the few popular risings against the religious policy of the monarchs and their ministries in Tudor days. Though God did not leave His Church without splendid witnesses, Satan would seem to have had things his own way in the main. Hence our blessed martyr, Edmund Campion, to whom the events of Henry's reign were recent, since he was born nine years before Henry died, points out how the Evil One, assailing one party in one weak point, and another in another, captured Henry himself¹ 'by unrestrained licentiousness, the laity by their envy of the clergy, the clergy by their cowardice, the heretics by their passion for novelty, and certain pseudo-Catholics by their double-facedness; for these last, instead of arming themselves against the coming storm by prayer and resolution, took shelter in a lie.'³

The popular risings which most concern us and which we have to consider, however briefly, were that of the

¹ *Anne Boleyn*, I, 17.

² Chamberlin, *Priv. Character of Q. El.*, p. 39.

³ *Hist. Divortii ap. Harpsfield*.

double insurrection of 1536 and 1537 in the North, called the Pilgrimage of Grace; that of 1549, called the Rebellion of the West; and the insurrection of the Northern Earls in 1569. The main facts about them are to be found in every history, good or bad, but they receive fuller treatment in M. H. and R. Dodds' two volumes on *The Pilgrimage of Grace* (1915), R. Troup's *Western Rebellion of 1549* (1913), and Sir Cuthbert Sharp's *Memorials of the Rebellion of 1569* (1840). All of them owed their origin to the wide and profound discontent of the people with the religious and agrarian and social policy of successive Tudor Governments. Risings had been no new thing in the past, having been the only outlet for the feelings of the people, who had no voice whatever in Parliament. But these risings were the last. 'The English people have never rebelled since the Reformation—the English people of the Middle Ages made this fierce effort; they were capable of similar movements not wholly national, but widespread, so long as the old religious philosophy in which they had been trained subsisted. Their last insurrection was in defence of that religious philosophy—the great northern rising against the rule of the Cecils. It was defeated, and from that day onward no considerable section of the labouring English people have moved against their rulers.'¹ The great Civil War was a duel fought between King and Parliament whilst the people looked on.

Now if we are not prepared to sanction the severance of the people of England from the unity of Catholic Christendom by a royal desperado and his minions, to condone the wholesale plundering of the Church, the

¹ Belloc, *Hist. of England*, III, p. 110.

sack and sale of abbeys, and guilds, and hospitals, to ignore the discontent of an entire people deprived of their old religion, many of them in consequence workless and breadless; and we then go on to reflect that for these evils there was no hope of redress in king or queen, or lords or parliament, all satisfied with their Church's new head and new religion, all happy in their loot, and all determined to keep it, and to strip, whip, and mutilate and string up the very wretched poor, dubbed by them 'vagabonds' and 'sturdy beggars,' we shall agree that of the risings of the sixteenth century, the three above named at least, were on these counts quite justifiable. Catholic Europe had not yet passed away, and the English Church enjoyed no exemption from the law of the Catholic Church of which it was a portion. By that international law, of which the Pope was the recognised custodian, no heretic or schismatic had the right to rule over a Catholic people, and if the Pope declared him to be either, his subjects were free to disown him. But whatever Paul III may have had in mind when at last he seriously thought of publishing his bull against Henry in 1538,¹ for the publication of which there is no proof, the Pilgrimage of Grace had been crushed, and so had the rising of the Northern Earls when Pius V published his bull against Elizabeth in 1570; and it may be doubted if in either case the insurgents would have taken advantage of any papal utterance to drive their resistance so far as to compel their monarch's dethronement. Far from intending this, they all along protested their loyalty. What they did insist upon in the forefront of their demands was a return to the ancient worship, a restoration of the old

¹ Dixon, *Ch. Hist. of England*, II, 97.

religion of England. Thus in the articles drawn up by their leaders at Doncaster, in 1536, the Northerners declared, 'We think the King's highness, nor any temporal man, may not be supreme head of the Church by the laws of God, to have or exercise any jurisdiction or power spiritual in the same; and all acts of parliament made to the contrary to be revoked.' And again, 'We think that by the laws of Church, general councils, interpretations of approved doctors, and consent of Christian people, the Pope of Rome hath been taken for the head of the Church and vicar of Christ, and so ought to be taken.'¹ In 1549 the commons of Devonshire and Cornwall, though they make no mention of the Church's headship, begin their fifteen articles thus: 'First we wyll have the general counsall and holy decrees of our forefathers observed, kept, and performed, and who so ever shal agayne saye them, we hold them as Heretikes.' They then go on to demand the re-enactment of Henry's Catholic statute of the Six Articles, the Mass in Latin, the reservation of the Sacrament hanging over the high altar, there to be worshipped; they will not receive the new service, because 'it is but lyke a Christmas game'; and amongst other suggestions, one of which regards the restoration of half of the abbey lands, they say they would like to see Cardinal Pole sent for from Rome and promoted to be of the King's council.'² And here is the proclamation, made at Staindrop on 15th November, in 1569, by the two northern earls, Thomas of Northumberland and Charles of Westmorland: 'Do the people to understand, that they intend noo hurte unto the Queens Majestie,

¹ Wilkins, *Conc.*, III, 812.

² Troup, 220-1.

nor hyr good subjectes; but forasmuche as the order of things in the churche and matters of religyon are presentlye sett furthe and used contrarye to the ancyent and Catholicke faythe, therefore there purposes and meanynges are to redewce all the said cawses in relygyon to the ancyent customes and usages before used, wherein they desyre all good people to take their partes.¹ Be this much said to acquit the insurgents of conspiring against the monarch's life and person, for, of course, levying war upon the King had been made treason by Edward III's Act of 1352. Yet even so they had the excuse that Henry and Elizabeth had taken the old Catholic coronation oath and had broken it most foully, by upsetting the Church they had sworn to maintain.

All these insurrections failed, as we know, and in each case a terrible vengeance was exacted from the wretched commons. The series of butcheries which followed the Pilgrimage of Grace, despite the Pardon of Pomfret, exceeded the others in atrocity, and the helpless victims of the Defender of the Faith were hanged by scores at York, Hull and Carlisle, though little sympathy for them is shown by most of our popular historians, who reserve all their tears and all their fury for the 'St. Bartholomew.' In quelling the Western rising a motley crew of foreign mercenaries were employed, troops of horsemen brought from Cleves, who after their advantage at Exeter, spared not the poor country-folk and delivered wide tracts of our three fairest counties to spoil and rapine. Elizabeth, too, could be bloodthirsty like her father, and the restoration of the Mass at Durham and Darlington and elsewhere was

¹ Cf. Dixon, ii, 155n.

followed by numerous executions of those of the landed class, and by the abandonment of the 'meaner classes' to the mercy of Sussex, one of the new lords, egged on by Cecil. Not a town or village between Newcastle and Wetherby, a district of sixty miles in length and forty in breadth, but saw some of its inhabitants expire on the gallows.

And now the question suggests itself, during a Conference occupied chiefly with our Martyrs, how many of those who lost their lives during these risings, or were executed in consequence of them, may be called true martyrs. The answer can only lie in the mind of God, for if '*Martyrem non poena facit sed causa,*' He alone knows how many and who of those slain in battle, or executed afterwards, accepted freely, out of love for the Faith, as their predominant motive, a death inflicted for other motives besides that of hatred for the Faith. In hardly any case can we discern a single, clear-cut issue; and it is this mixture and confusion of the insurgents' motives, their blending of temporal with spiritual grievances, however connected and allied, as also the Holy See's wish to avoid what might seem to many a wholesale approval of rebellion, which so long deterred that See from awarding to any of the insurgents of the 1536, the 1549 and the 1569, those posthumous honours which it is that See's to bestow. At length, on 4th December, 1886, the Congregation of Rites signed a Decree granting leave to introduce the cause of 'beatification or declaration of the martyrdom of 261 venerable servants of God, done to death in England out of hatred for the Faith.' This Decree was posted on the doors of the Roman churches. On 9th December, the same Congregation approved of another Decree

'confirming the cult of the Blessed Martyrs, John Cardinal Fisher, Thomas More, and their fellows, done to death in England, out of hatred for the Faith, from the year 1535 to the year 1583,' whose martyrdoms had been painted by Pomarancio in the Church of the English College, Rome, and engraved by Cavalieri in the year 1584 by privilege of Pope Gregory XIII. This latter Decree was approved by Leo XIII, was published in Rome on 29th December, the feast of St. Thomas of Canterbury, and was read out that day at High Mass in the English College chapel. Next day at night-fall the inmates learned that the Decree of 4th December had been withdrawn from the doors of the Roman churches. There were certain discrepancies between the two documents. In the first, among those martyrs for whom beatification had been sought we do not find the name of Margaret Pole; but we do find the names of the Abbots of Colchester, Reading and Glaston. In the second, among those martyrs declared *Beati*, we do find the name of Margaret Pole, but not the names of the three Abbots. These two cases, that of the three Abbots, and that of Margaret Pole, are not unconnected with the Pilgrimage of Grace, for it was that alarming commotion which precipitated both the extinction of the greater abbeys and the destruction of the Poles. The three Abbots above-mentioned missed beatification in 1886 because of the omission of their personal names in Pomarancio's picture, where they are described simply as '*tres abbates Ordinis S. Benedicti*.'

Yet, as Fr. William Good, one of the first English Jesuits, who was born at Glastonbury, and received his early schooling there, and who, when twelve years old, may have seen Abbot Whiting's head impaled over

the Abbey gate, was the man who prompted the painter and supplied him with his subjects, the framers of the decree of beatification would, perhaps, have had warrant sufficient to include in that decree these three Abbots without keeping them waiting until 1895, Burnet and his followers, the compilers of guide-books to Glastonbury Abbey, are strong in asserting that Abbot Whiting did not die on account of the King's Supremacy. He certainly took the Oath of Supremacy in 1534,¹ and in July, 1530, had set his name and seal to the insolent joint-letter of the spiritual and temporal lords to Clement VII. His seal and signature to that letter may be seen in the Vatican library to-day.

But it is to be borne in mind that the suppression and sequestration of the greater abbeys, so far not voluntarily surrendered, were acts carried out by the King, solely in virtue of his assumed Church-headship. For an abbot to hang back and demur, and worse still, to secrete such plate and money as he could for his community and himself, in the hope of better days coming, and so baffle the royal marauder, as one would now trick a common burglar, was to resist the Supremacy, and ask for a bill of attainder. The bill came and Blessed Richard was done to death '*in odium fidei*,' a verdict which, as Benedict XIV lays down, it is for the Church's tribunals to pronounce, whatever the motive or pretext alleged by the oppressor may have been.² The 'treasons' committed by him were set forth in a Book of Depositions sent up to London from Wells by the King's visitors. 'I have not discovered this "Book of Depositions,"' wrote Froude, no friend

¹ Rymer, xiv, 504.

² De Beatif, III, cap. 13.

of ours, 'but those who desire to elevate the Abbot of Glastonbury to the rank of the martyr, confess their belief in doing so, that he was more faithful to the Church than to the State, that he was guilty of regarding the old ways as better than the new, and they need not care to question that he may have acted on his convictions or at least have uttered them in words.'¹

Say the same of the Blessed Margaret Pole, whose case Pastor truly sums up thus: 'Without a single witness being called, she was executed in the Tower, on 27th May, 1541, for the sole reason that she was a faithful Catholic and the Cardinal's mother.'² Henry, helpless in his rage against all things Roman, against Paul III, who had excommunicated him, and against the Cardinal whom Paul, though too late, had sped on a mission to England, foiled in his designs upon the Cardinal's life, smote the mother in lieu of the son. Other members of Pole's family had already been sacrificed, and their names, together with those of the leaders and chief victims of the Pilgrimage of Grace, stand in the list of dubious *beatificabiles*, added much later.

Of those who perished in the '49 under Edward VI, whether on the scaffold, or butchered by foreign mercenaries, not one has been presented for beatification. Of those who took part in the '69 a few await discussion, but two, who were amongst those painted by Pomarancio in the English College church, Thomas Plumtree, called by the Durham folk, 'parson Plumtree,' and Thomas Percy, Earl of Northumberland, are amongst our *Beati*. The Earl as is well known,

¹ *Hist. V.*, III, ed. of 1858.

² *Popes*, V., 652.

escaped to Scotland, but was there apprehended, and after two years' confinement was sold to Elizabeth's Government. His life was offered him if he would conform to the new religion, but he refused, saying publicly that 'if he had a thousand lives, he would give them up for the Catholic faith in which he died.'¹ He was brought to the block at York on 22nd August, 1572.

August 22nd was the anniversary of Bosworth Field, that fateful fight which brought with it the end of the rule of the Plantagenets, the triumph of the first Tudor, and the beginning of most of England's woes, those woes, in contributing to which England's people, 'so helpless and so wise,' had played, if any, so very small a part.

A living poet thus makes them tell some part of their tale:

"The blood ran red to Bosworth, and the high French lords
went down;
There was naught but a naked people under a naked crown.
And the eyes of the King's Servants turned terribly every
way,
And the gold of the King's Servants rose higher every day.
They burned the homes of the shaven men, that had been
quaint and kind,
Till there was no bed in a monk's house, nor food that man
could find.
The inns of God where no man paid, that were the wall of
the weak.
The King's Servants ate them all. And still we did not
speak.

And the face of the King's Servants grew greater than the
King:
He tricked them, and they trapped him, and stood round
him in a ring.

¹ Sharp, p. 334.

The new grave lords closed round him, that had eaten the
 abbey's fruits,

And the men of the new religion, with their bibles in their
 boots;

We saw their shoulders moving, to menace or discuss,
And some were pure and some were vile; but none took
 heed of us.

We saw the King as they killed him, and his face was proud
 and pale;

And a few men talked of freedom, while England talked of
 ale."¹

¹ G. K. C., 'Poems,' *The Secret People*.

VII

CATHOLIC RESTORATION UNDER
QUEEN MARY
(FOXÉ'S BOOK OF MARTYRS)

BY THE REV. DUNSTAN PONTIFEX, O.S.B., M.A.

It would seem to be the fate of all administrators that outsiders should continually feel that they could conduct the government very much better were it in their hands. This will be all the more strongly the feeling if outsiders are hostile to those in authority and if they have means of knowledge not possessed by the governors. For these, among other reasons, the government of Queen Mary Tudor has often been most harshly criticized by historians. They, sitting in their studies centuries later, possessed of much information that was not accessible to Mary and her advisers, and in many cases hostile to the ideals for which she worked, are easily led to a severe judgment upon her. But if it can be shown that her purposes were high, that she took at least reasonable pains to discover the right method of carrying them out, and that her mistakes were such as any normal person in her position might have made, it is hard to see that she can be blamed. Whilst in the other lectures that you are listening to you can enjoy the pleasure of hearing the praises of the champions of Holy Church, in the case of Mary's reign you find Catholics upon the defensive, doing their best to explain, and in part to justify, an unpopular and certainly, in large

measure, an unsuccessful reign. We have to meet the implied objection—‘Well, your martyrs died under Henry VIII, and under Mary your Faith came back—and look at the result! If Catholicism in the ascendant was such a failure, surely it stands self-condemned.’

And yet nowhere has it been contended that a Catholic secular government must needs in all circumstances be successful from this world’s point of view. The opposite stands plainly out upon the face of history. If, as in the case of Mary’s reign, it can be shown that the Catholic government was clearly superior in morality to contemporary Protestant governments, enough has been done to counter any attack which can be made on the Catholic religion in this connection. No modern historian attempts to deny the superiority in morals and in moral loftiness of aim of Mary’s government to those of Henry VIII or Elizabeth. But, it is still objected, her government was outstandingly unsuccessful. In reply we have to prove that this was due to other circumstances than the one that she supported the Catholic religion. It may be said that *in all the circumstances of Mary’s reign*, taking into account for instance such facts as the Queen’s own Spanish blood, her ill health and that of Cardinal Pole, the death of Gardiner at a most inopportune moment, the temper and recent experiences of the English people in both religion and politics, the restoration of Catholicism was, humanly speaking, doomed to failure. And yet for none of these things was Mary responsible, nor was the Catholic Church.

Enough has really been said to introduce our brief survey of the reign—but a certain misconception is so deeply and solidly rooted in the minds of English

people that, although it has no foundation in fact, it must be mentioned even in these introductory remarks.

I mean the notion that Mary's government introduced the practice of religious persecution into this country, and must answer for such conduct. I know well enough that no historian holds such a view, but the idea is widespread. So we will clear the ground at the outset by saying that the belief in the justice, and even the necessity, of religious persecution in certain circumstances was practically universal among all Europeans, whether Catholic or Protestant, both before, during and after Mary's reign. As to whether Mary's application of this universally accepted remedy for the suppression of religious recalcitrance was judicious we shall later discuss, but the governments of Henry VIII and Elizabeth were both every bit as much committed to both the theory and the practice of coercion in matters of religion as was Mary's.

There are many nowadays who feel that the very idea of any use of physical force in religious matters is repugnant. This is not really the place to discuss such a matter—I will only just pause to beg any such person who may be present to ask themselves whether they are so sure of their own consistency in this matter. For instance, would they hesitate to prevent the teaching of what they considered pernicious religious opinions to a child under their charge? Would they not rather strive to prevent such teaching even by force, if their opponent sought forcibly to inflict it? Now the government of England was very certain that it stood *in loco*

¹ *Cambridge Modern History*, Vol. II, p. 543, speaks of Mary's wish to check those 'who choose by their false doctrine to deceive simple persons.'

*parentis*¹ to the nation. We will go no further into the theory of religious toleration, and only suggest that what we call persecution in real historical fact appeared to the men who practised it in the sixteenth century to be a measure of protection of those for whom the 'persecutors' were responsible. With this introduction, then, we will turn to our history, and strive to give as objective a sketch as possible of the attempt to restore Catholicism in England between 1553 and 1558.

Mary came to the throne on the failure of Northumberland's plot, the complete collapse of which shows the attachment of the people to the Tudor dynasty. She succeeded to a period of disastrous misrule, and of unprecedented innovation in the matter of religion. She succeeded at a period in European history when the Middle Ages were dead and the new world not yet born. All those facts have an influence on her policy and behaviour, as had of course also her personal history. In this connection it must be remembered that Mary was born of a Spanish mother, and that her mother must have had more influence on the shaping of her character than any other single individual—for her father neglected her for long periods between his fits of making much of her (for his own purposes), and of bullying her (also for his own purposes). Finally, much of her life before her accession at the age of 37¹ had been spent in retirement and under a cloud.

Mary's natural disposition was pleasing. This is now conceded by all historians. She was brave, generous, loyal and tender-hearted. She was deeply religious, thoroughly sincere, and earnestly anxious to do her best for her people. She seems to have had some literary

¹ In those days a woman of 37 was decidedly 'no longer young.'

gifts and was not wanting in shrewdness, but there was also noticeable in her a vein of transparent simplicity. We must add that she had some of the pride, self-will and sense of the greatness of her position that was natural to a Tudor; and that during three of the five years of her short reign she was in wretchedly bad health.

Mary was called to rule a people who at the time were decidedly non-religious and were touched with a definitely anti-clerical feeling. At least these things were true of the nobility as a whole, and of the townspeople, at all events, in the South of England. Working upon this material was a smallish minority of Protestants, very fervid and very active. For political reasons they were from time to time supported by Paget and his faction in the Council, by a very cautious and negative but still perceptible countenance from the Princess Elizabeth, and by secret encouragement from Noailles, the French Ambassador, who was trying to counteract the influence of Spain, which was identified with Catholicism. To these adversaries the Queen added another by her own act. There can be no question that the Spanish marriage was, from a political point of view, a first-class blunder. Mary was the first woman to rule England since the days of Matilda (no attractive precedent), and Englishmen were on the look out for the misfortune to which they saw that a woman's rule exposed them, and which they had seen recently exemplified in the case of the Duchy of Brittany, of being by the marriage of their queen annexed to the country of her husband. This fear was particularly acute, and the dislike to such a fate particularly strong for several reasons. The newly born sense of national independence, fostered by Henry VIII,

was very alive, and with it national pride. Now Spain was the greatest European power at the time, and the Spaniards had a name for haughtiness. How then could England expect that a close connection with Spain could lead to anything but her more or less complete subjection? And indeed it is clear that the purpose of the Spanish monarchs was in fact simply to make use of England. Queen Mary made the fatal mistake of connecting her restoration of Papal authority (the authority, as Protestants pointed out, of an Italian), with the support of the greatest secular foreign power in Europe—Spain. And yet the mistake was a natural one on her part. She, as the daughter of so noble a Spaniard as Queen Catherine, naturally looked upon Spain as the centre of European and Catholic culture, and there can be no doubt at all that she believed that England would greatly benefit by Spanish help both in the spiritual sphere, as helping on the restoration of Catholicism, and in the temporal, by means of money (for England was nearly bankrupt) and of political support. However, she was mistaken, and the Spanish alliance was from start to finish intensely unpopular.

For the Catholic Faith itself, there seems, outside the small Protestant minority, to have been very little active dislike, and of course many were eager for its restoration; but there were strong influences at work to hinder an enthusiastic reception of its return.

In the first place, it seems clear that the torrents of abuse which had been let loose against the Papacy under Henry VIII and Edward VI had to some extent had their effect. The reverence for the Pope as the Head of the Church, which, in spite of occasional friction or grumbling, was certainly felt in this land before 1533,

was really impaired by 1553. The Pope was looked on more than formerly as a foreign Sovereign and less than formerly as the Vicar of Christ. A real feeling of dislike of the Pope's claims to exercise authority in England was not absent among certain of the nobility and of the townspeople of the southern towns. This feeling was revived when, after all had been reconciled, Paul IV, at the end of the reign, adopted an exceedingly stern attitude towards the English Government, because of its connection with Spain, and even deprived Cardinal Pole of his powers as Legate.

Secondly, there was the question of the monastic lands. This can only be briefly mentioned, but it loomed large in the minds of Englishmen at the time. The lands of the monasteries had become distributed amongst quite a large number of owners during the twenty years since their suppression, and these owners all feared lest they should be made to restore the lands to the Church. Great stress was laid on this point, and special permission obtained from Rome to allow the new owners to remain in possession.

A third hindrance to the Catholic restoration lay in a certain anti-clerical feeling which unquestionably existed at the time. Of course it was fanned into flame by the Reformers, but it existed before Protestantism had any real power in England. Among the nobles it was, it would seem, due to a not unnatural dislike of a situation such as that when Wolsey was in full power. There was then concentrated in the hands of Churchmen the control of both Church and State. For Wolsey, as a cleric, was surrounded by an *entourage* of clerics, and it was chiefly by this group of men that the country was governed. Amongst the smaller landowners and others

of less degree there seems to have existed some feeling against the clergy owing to friction in regard to financial matters. In fact many clergy seem to have been unwisely insistent on their rights in regard to such matters as tithes and the like.

This has been rather a lengthy introduction to the central portion of our paper, but I regard it as perhaps the most important part of what I have to say. For, when seen in its true historical setting, I believe that the conduct of Mary's government will seem so natural as to appear almost inevitable.

To come now to the coercive acts in support of the Catholic restoration which proved so unsuccessful and won for their authors such an ill name. Pollard tells us,¹ and he has Foxe himself in agreement, that Mary was popular at the beginning of her reign. This seems clear. And if the people welcomed her, she was equally certainly sincere in her earnest desire for their welfare. Unfortunately in actual fact this did not promote the smooth working of things as it should have done, for she placed the country's well-being *primarily* in matters spiritual, whilst it would seem that for at least a large proportion of her people earthly success was more of an attraction than progress on the road to Heaven. At first Mary, after her years of semi-segregation, does not seem to have realized this, and she was full of the brightest hopes. Whilst in this mood her plans were as good as could well be imagined. Both Catholics and Protestants were to avoid disputations, the Faith was to be preached, men were to be persuaded rather than forced. Moreover, Charles V, and therefore Philip, were constant in dissuading the Queen from

¹ *Political History of England*, Vol. VI, p. 96.

urging too much pressure in the matter of religion, and the Bishops by no means encouraged her to severity. This is true even of Gardiner and Bonner. The latter was at one time admonished for not using sufficient energy against the heretics, and the former has been shown by his recent non-Catholic biographer to have been consistently an advocate of moderation. Why then did the Queen after all consent to the policy of coercion which was to prove so fatal to the success of her dearest hopes? In the first place we must remind ourselves of what has often been emphasized in this connection, namely, that politics and religion were inextricably interwoven at this time.¹ Their inter-relations and mutual reactions are so close and multifarious that the two are almost one for historical purposes. This being so, the first influence which urged the Queen towards greater severity was the apparent failure of the policy of clemency in the religio-political sphere. Lady Jane Grey had been spared at first, but later the Queen felt compelled to execute her; and so also it was with the Protestants. Was this change of policy justified? We will not now enquire whether the Queen and her Council were well advised, we will be content to consider the force of the reasons which actuated her. It is clear, when we come to this, that she had abundant cause to ask herself whether her first policy was a wise one. Time after time rebellions just failed to materialize, and the exceedingly formidable rising of Wyatt put her temporarily into acute danger. Add to this that the Protestants both at home and abroad were perpetually and unceasingly not merely attacking the Queen's government

¹ See e.g. Gardiner, *History of the English Church in the Sixteenth Century*, p. 379.

in books and pamphlets and leaflets, but abusing her and her religion in the most violent and virulent way. There were also continued petty, but unendurable, acts of violence against the Catholic religion in and about London. Whilst this was the attitude of the poorer sort of Protestants, and of the Protestants abroad, those of their religious leaders who were 'interned,' as we may say, in London prisons, showed no signs of accepting the restoration of the old order of things. In face of this situation the Queen and her Council, when the Catholic religion was restored by law, determined also to restore those legal safeguards which had formerly existed in England. That they expected that the mere enactment of these laws would suffice to secure at least outward compliance with Catholic practice is clear.¹ In this they found themselves mistaken, and they proceeded to put the laws into force on a scale that was unprecedented, because never before had there been such disobedience. Here I must break off to refer to a matter which I have tried to bring out in a C.T.S. pamphlet, and which is recognized and even emphasized by all historians of the present day. It is the startlingly different attitude of the men of those days towards physical pain to that of our own contemporaries. In the life-time of the present generation many appalling brutalities have been perpetrated, both during and after the War, but with few exceptions—and these have won universal opprobrium when they have become known—none of our modern horrors have been carried out in cold blood. And it is evident that if mere animals were now treated in public as men and women were treated by even our great-grandparents, the public would intervene by force to

¹ See Muller, *Stephen Gardiner*, p. 269.

stop such things. Now this change of attitude cannot be too strongly emphasized when we are about to consider the burnings of Queen Mary. Any modern European would turn away with sickened disgust from these executions; they appear to us revoltingly barbarous, and we have every reason to be thankful for our more sensitive perceptions; but we can no more blame the men of the Tudor ages for not feeling as we do, than for not realizing the hygienic enormity of rushes left unchanged upon a floor for twenty years¹ to shelter 'expectorations, . . . ale droppings, scraps of fish, and other abominations not fit to be mentioned.' I cannot linger over this point. I will only ask you to make the necessary effort of the imagination to attempt to realize that to see a person burnt, when legally condemned, *did not* appear an outrage to those men. In the eighteenth century, I would remind you, the penalty still existed.² To this I will only add, what has become a historical commonplace, namely, that Catholics and Protestants, despite their other differences, were quite at one on this matter of punishment.³ Both sides were ready to burn or be burned. As Mr. Chesterton has said, 'persecution does not prove that either side is right, it ^{re-}only ^{pro-}ves that both sides are in desperate earnest.'

And now at last we come to the prime investigation to which all this has been leading us. What sort of men were the Catholics who inflicted the penalties of Marian times, and of what type were their motives? Of what type and of what intentions were the sufferers? How far

¹ Muller, p. 6.

² See *Encyclopaedia Britannica*, article, "Burning to Death."

³ See for instance, Muller, p. 273.

does Foxe give us at all a true picture of the affair and the actors?

✓ As regards the first question, the answer has been already partly given, and we have no time to say more about the central figure, the Queen herself. Some account, however, must be given of the other Catholic leaders. The Spaniards, as we have seen, were consistently opposed, on grounds of policy, to religious coercion in England. The next most prominent figure is that of Gardiner, Bishop of Winchester, and Lord Chancellor. In his most admirable biography of this distinguished statesman, Mr. J. A. Muller¹ has shown that he was never in the least eager to persecute. He was a man of law and order, and as such he was annoyed, sometimes even to exasperation, by the refusal of Protestants to obey, but he was never cruel or even unreasonably severe. He only took part in the very first of the heresy trials, and he privately sheltered several distinguished Protestants. It has been shown that none of the Bishops were eager persecutors. Even Bishop Bonner, upon whom as Bishop of London the greater part of the heresy trials devolved, and who was by nature of rather a forceful character, cannot be shown to have been guilty of deliberate cruelty.² Is Foxe's account then merely a tissue of lies? No, when writing of his own times this certainly cannot be said of him. Foxe's *animus* against the Catholics is obvious,

¹ A Non-Catholic.

² Pollard, p. 156, is severe on Bonner, but even *his* charge only amounts to one of readiness to act as executioner; not to one of cruelty in carrying out the work. For the general verdict of modern historians, consult *Cambridge Modern History*, Vol. II, p. 533, and *The Dictionary of National Biography*.

and now universally admitted. His picture of blood-thirsty persecutors delighting in cruelty is a myth. But once this is recognized and discounted, he is, although sometimes wrong in his facts and sometimes omitting things that tell in favour of the Catholics, a valuable authority for the history of the period. However, what is of importance for us to note is that even *his* account, as interpreted by modern historians, practically only convicts the Catholics of occasional bad temper and arbitrariness as judges. No doubt Gardiner was sometimes quick-tempered, and it was pitiful to see Cranmer publicly degraded, or women go to the stake; but there is nothing in these things to compare to the severity of the judges of Anne Askew or of Blessed Edmund Campion. We claim then that no more than a normal severity was shown by the Catholics, whilst often an unusual clemency was exhibited by them. To this rule there is one exception, the actual burning of an unprecedented *number* of heretics. We have already partly explained this, and shall say more later. For the moment we will only sum up that neither in their trials nor in the *manner* of their executions can the Protestants be shown to have been treated in any abnormal way. The bag of gunpowder which would quickly end the sufferers' pain was allowed them, but apparently not in all cases. And now, what of the Protestants themselves?

There is one quality which they possessed that we can join with our opponents in sincerely admiring. It is their courage. Bluff old Latimer, or the very human Ferrar, had more than a touch of the spirit that has made the memory of Drake and the Elizabethan seamen immortal. But it must be added that even in courage they in no way surpassed such men as Blessed John

Fisher, Thomas More, Edmund Campion and their fellow Catholic martyrs. If we can admire their courage, what further can we say of the Protestants? Pollard writes: 'Few of Foxe's heroes were so single-minded and consistent as Ferrar; and some of them were criminal fanatics.'¹ We desire only to consider the more worthy of the Protestants. Judging them from a purely naturalistic point of view one would say that these men, having committed themselves to a revolutionary policy in religious matters, and being caught in a reactionary swing of policy, refused to bow to the storm, stood against it, and were swept away. In this their courage and consistency are to be admired, and their fate is to be pitied. But now, to look at the matter as Catholics, and, therefore, with assumptions which we cannot expect others to accept, but which we ourselves know to be true, what shall we think of it all, in this light, for our own satisfaction, and not as a matter of apologetics? Well, these Protestants (to speak first of the leaders), were apostate bishops and priests. Cranmer had long lived a life at variance with his priestly obligations, Latimer was of a self-opinionated type of mind. How far did obstinacy, pride, self-will enter into it all? That we must leave to God. We know that the gift of Faith can be lost, but its loss would not involve the loss of qualities natural to a man, such as courage. And it is strange, if we look through our history, for what various and sometimes disproportionate things men will lay down their lives. A contemporary writer² noted that obstinacy or pertinacity (whichever we call

¹ P. 138, *Political History of England*, Vol. VI.

² Litolfi, in Brown, *Venetian Calendar*, VI, 3. App. n. 171, p. 1672.

it in particular cases) was a characteristic of 16th century Englishmen, and it is to be found in the 'Private of the Buffs,'¹ and in more than one instance in the late War. It is in this very spirit that the poorer Protestants refused to alter their religious opinions at the bidding of anyone. It wins our sympathy, but it does not prove they were right. Their leaders had weakened for them their reverence for, and the very meaning of, authority in religion, and they would follow their own minds in the matter. The tragedy is that Mary and her advisers could not see that coercion was not the way to deal with such cases. Still, it can be pleaded that these executions were open and according to long-established law, whilst the rackings of Elizabeth were not sanctioned by law, and some of her treason-laws were pure innovations and were simply passed to *create* in law the offences she wished to punish. As to the sufferers themselves, I cannot follow some writers, however great their name, in their vindication of Cranmer. His life as a married priest, the incident of his consecration oath, his subservience to Henry VIII in matters that he must surely have known to be wrong, seem to show him as far from a hero. Nor does his desperate defiance in the face of death restore, to my mind, grounds for admiration of his character. As for the other victims, we can feel for them admiration in so far as they refused to allow physical pain and death to force them into insincerity or a change of religious position. But the point I wish to emphasize is this:—The letters of Blessed Thomas More show an attitude towards death which is as nearly perfect from the Christian point of view as could well be imagined. The same thing can be shown, though not perhaps so

¹ Cf. the well-known poem by Sir Francis Hastings Doyle.

clearly, of Blessed John Fisher and many others of the Catholic martyrs. I think here shines the real light that martyrdom can shed upon the cause for which it is suffered, namely, in the manner in which death is faced. We must ask what were the sufferer's relations with Almighty God, as he faced his death. The humility and trust of More in his God are beautiful beyond description—For myself I cannot see anything of such high religious elevation or such refinement of spiritual feeling in the Protestants. Such a thing is incapable of proof except by means of numerous instances for which we have no time; I will record it as an impression and pass on.

It was the policy of the Tudors carefully to 'feel the pulse' of popular opinion, to appear to be following when they were really leading, and to ally themselves with the people against the nobility. Henry VIII and Elizabeth were both experts in the carrying out of this policy. But Mary was simpler and more direct, as well as acting upon principle instead of expediency. Politically she made a fatal mistake in executing a number of the humbler classes. But from her point of view, in attempting to deter the less educated of her people from falling into heresy, the mistake was natural. The educated she may have thought incorrigible, and at any rate they conformed outwardly. But the poorer Protestants dying bravely won great sympathy, and even Blessed John Storey later complained that the leaders had not been struck at.

Why have the Marian burnings sunk so deeply into the consciousness of the English people? First, because the generations that succeeded made the very utmost of them to incite feeling against the Catholic Church, and

they had in Foxe's writings a useful weapon for their purpose. Next, because the numbers who suffered were for the short time during which the heresy laws were in force, so large. Non-Catholics hold that little short of 300 died; but Pastor, who makes the number about 200, justifies his calculation as follows:¹ 'All those on Foxe's list did not suffer death, and many of those named were not martyrs in any sense of the word, but suffered well-deserved punishment as ordinary criminals; others again were not martyrs for Protestantism, for they were punished for holding doctrines, for the profession of which the innovators themselves would have put them to death.' These arguments are only very partially answered by Pollard (p. 154), and so it would seem that numbers were somewhere between 200 and 300. Now the Catholic martyrs under Elizabeth are reckoned by Pollard as being 187 (p. 376), but their executions were spread over 25 years, and their deaths were ostensibly for treason. Under Mary, over 200 people died in three years, and their deaths were admittedly for heresy, although some at least were certainly guilty of treason. In this matter is very well shown a difference between the two half-sisters Mary and Elizabeth. Mary believed she ought to safeguard her people's religion, and that executions for heresy were justified; accordingly she openly executed. Elizabeth, realizing the unpopularity of executions for religion, blackened her victims with an accusation of treason by declaring their religion to be treasonous.

In conclusion, I have tried to show that if we look at history as a continuous whole, as in fact it really is, we shall see the history of Mary's reign in a very different light

¹ P. 373, *History of the Popes*, Vol. XIV.

to that in which it appears if we consider it in isolation and with a mental background of twentieth century ideas and feelings. And it must be again recalled that for the men of 1553 the past had been continuous for 1000 years. We who live at the end of a series of jolts (as it were) in history, such as the French Revolution, and who are actually part of the most swiftly changing period that history has ever known, must find it difficult to realize that for our ancestors it was as natural to assume that the main framework of things should always be unchanging, as for us to believe that it is in a perpetual state of evolution. The men of the mid-sixteenth century stood on the threshold of four centuries of change; but how could they know it? The religious problem which Mary had to solve was unprecedented, but she did not realize this at all, and even the most clear-sighted seem to have only dimly guessed it. This being so, the traditional remedies were applied to disorders which men did not realize had assumed an unprecedented form. To Mary and her Council the restoration of Catholicism meant for England the resuming of normal life after an irregular interlude. At first they proceeded gently enough. But soon it was apparent that there was an opposition, not very large, which persistently refused to come into line. More than this, it was extremely noisy and offensive, in fact provocative to the last degree,—witness the cat dressed as a priest exhibited in London and the pamphlets written abroad referred to above.¹ Unwisely, but most naturally, the Government allowed itself to be drawn into a counter-policy of repression; for the opposition, though noisy, was not really dangerous, *after* Wyatt's rebellion. But it must

¹ Pastor, p. 378.

always be remembered that his rising was *most* dangerous. It frightened the Council, and the noise of the Protestants exasperated them, and so it was decided something must be done. Remember, the Council was a large body containing, besides Gardiner and Tunstall, such men as Paget and Rich.

And when they decided to act, what were they to do? Obviously, they thought, apply the remedy that had always been successful before. It would be enough merely to enact the laws to stop this troublesome agitation! They were wrong. They then tried putting the laws into force, and again failed. Then, as I personally see the matter, the Government as a logical and fully self-conscious body simply broke down. The Queen was wretchedly ill, Pole was at least out of health, Gardiner died at the critical moment, and without him the Government lacked a mainspring. The unwieldy Council was distracted, the very weather was exceptionally bad. Consequently, both at home and abroad, where the only policy seemed to be to follow hated Spain, all went wrong. There was no clear sight, no strong lead or initiative, and a people greedy for secular success found themselves sinking to apparent ruin. In this setting, what chance had a religious policy that seemed only to look backward? But who was to blame?

VIII

THE ELIZABETHAN 'DEVICE FOR THE ALTERATION OF RELIGION'

BY J. F. ROGERS, S.J., M.A.

ONLY those who are put to death out of hatred of the true faith are entitled to be called martyrs. Hence, in the cause of those men and women for whom the palm is claimed because they suffered the extreme penalty for the Catholic faith during the reign of Elizabeth and subsequently, there emerges a fundamental and preliminary question, 'Did Elizabeth change the religion of England?' Thus stated, the question is simply one of historical fact, and it is along historical lines that an answer will be attempted in the following pages. If on well-attested evidence it can be shown that a radical change in the religion itself was deliberately planned, that the plan was effectively carried out and conformity to the new religion enforced, then even the punctilious logician can hardly quarrel with the conclusion that the religion of the country was changed. At the outset it must be stated that this paper contains little, if anything, that is new; all that is here recounted has already been told—and told much better—in the many well-known books that deal with this particular period.

Mary Tudor died November 17th, 1558. Her half-sister, Elizabeth, was immediately proclaimed queen in virtue of the will and testament of Henry VIII, to whom Parliament had given the power of settling the succession. With the character of Elizabeth we are now

fairly familiar. Many of the gifts that make for greatness in a sovereign she undoubtedly possessed—that was her Tudor inheritance—but ‘scruples she had none, and she was almost as devoid of a moral sense as she was of religious temperament.’¹ She had outwardly professed the Catholic faith and conformed in all ways to its practice during Mary’s reign, with an insincerity, however, of which there can be little doubt. She would as readily have become a Hindu or a Mahomedan had it suited her purpose. Equally unscrupulous, though not perhaps lacking in religious feeling, was the political genius who guided her through the dangers and perplexities of the greater part of her reign. William Cecil, too, had conformed under Mary—from motives of expediency. There was little love for the Catholic religion among the new nobility that had sprung into existence on the ruins and the spoils of the monasteries.² Cecil’s natural caution and foresight led him to retire from active politics during the last year of Mary’s reign. Appreciating the trend of events he warily established communication with Elizabeth who, on the day of her accession, appointed him Secretary of State. During the months of waiting for the termination of Mary’s fatal illness, Elizabeth and Cecil must have discussed and formulated their plan of campaign. On November 17th, 1558, they were ready for action.

The motives behind Elizabeth’s religious policy need not delay us. We can scarcely hope to fathom what baffled both her contemporaries and subsequent

¹ Pollard, *Pol. Hist., of Engl.*, VI, 179.

² His father, Richard Cecil, High Sheriff of Rutland, ‘was one of those who had received no inconsiderable share of the plunder of the monasteries, and when he died (May 19th, 1552) he left an ample estate behind him.’ (*Dict. Nat. Biog.*, IX, 406.)

historians. Her dislike for Catholicism may have been due to the circumstances of her birth, which the Church could never regard as legitimate, although the injurious effects of the stigma could have been canonically removed in order to secure her succession to the throne. It is certainly arguable that she was actuated by the Tudor political theory which rejected all idea of an independent ecclesiastical jurisdiction within the absolutist and omnipotent State. A not improbable motive was the deplorable financial condition of the kingdom. Before the end of the first month of the reign a loan had been raised for the Government in Antwerp by Sir Thomas Gresham, and at the same time the Lord Treasurer was directed to take possession of the temporalities of no less than five vacant or suspended Sees.¹ It is also a significant fact that five days after the opening of Elizabeth's first Parliament, a Bill was introduced for the Restitution of Tenths and Firstfruits to the Crown.

It may be, of course, that all these factors combined to influence the Queen, but the well-authenticated documents which have come down to us make all conjecture as to the motives at work of little practical importance. We know that the religious policy of the Queen was clearly mapped out from the beginning of the reign.

Two documents are particularly vital in this connection. The first, 'Divers Points of Religion

¹ *Acts of Privy Council*, Vol. VII, pp. ix and 28. A year later the long delay in filling the Sees vacated by the deprived Bishops caused heart-burning and suspicion among the needy and expectant refugees, now returned to England. 'The bishops are as yet only marked out [for promotion] and their estates are in the meantime gloriously swelling the exchequer.' Jewell to Peter Martyr, November 16th, 1559. (Zurich Letters, I, No. 24.)

contrary to the Church of Rome,'¹ was drawn up by Goodrich, an eminent lawyer of the time with pronounced Protestant leanings. He had been chosen as one of the committee 'for the consideration of all things necessary for Parliament,' and the contents of his 'Divers Points' are significant for more than one reason. They may be regarded as a 'Counsel's opinion' on the legal aspect of a change in the religion of the country when Elizabeth came to the throne. They further show with what extreme caution the new Government proceeded in securing a constitutional basis for the alterations that were to be made. The document was certainly drawn up before December 5th, 1558,² and a few extracts from it will throw interesting light on the events that followed. Goodrich offered as his opinion, that 'In the meantime (*i.e.* until Parliament meets), her Majesty and all her subjects may by licence of law use the English Litany and Suffrages used in King Henry's time;³ and besides, her Majesty in her closet may use the Mass without lifting up above the Host, according to the ancient Canons, and may also have at every Mass some communicants with the ministers, to be used in both kinds.' Concerning the authority of the Pope, official relations with him and the treatment of the Catholic Bishops, Goodrich suggests:—'Before the Parliament, nothing against him may be attempted but dissembled withal in the meantime I think it most necessary that before any pardon published after the old manner

¹ Cf. H. Gee, *The Elizabethan Prayer Book and Ornaments*, Appendix, p. 202.

² Cf. *Ibid.*, pp. 21, 59.

³ The English Litany had been given royal sanction in 1544 and had not been specifically abolished in Mary's reign. Hence Goodrich's opinion that it might be legally used. (*Ibid.*, p. 60.)

at the coronation that certain of the principal prelates be committed to the Tower, and some other their addicted friends and late Councillors to the Queen that dead is, and all the rest commanded to keep their houses . . . nor sending to Rome any message or Letters, and if be any, I would have letters sent to the Agent there to continue his residence and to advertise as occasion shall be given without desire of any audience ; and if he should be sent for, that he should signify that he understood from hence that there was a great embassy either already despatched or ready to be despatched for the affairs . . . and yet trailed so as it should pass the most part of the next summer, and in the meantime to have good consultation what is to be done at home and do it, and thereafter send.'

'THE DEVICE.'

Following almost immediately on and from this is the document which has given the title to this paper, *The Device for the Alteration of Religion*. It must be dated somewhere about December 25th, 1558, and the Somers' Tracts, where the *Device* is reprinted¹ from the copy in the old Cotton Library, which later formed the foundation of the British Museum, says regarding the author:— 'By some, this paper has been assigned to John Hales: by others, to Sir Thomas Smith, or to Beale, the clerk of

¹ Vol. I, pp. 61-64. It is also printed in H. Gee *op. cit.*, pp. 195 *et seq.*, in Cardwell's *History of Conferences*, pp. 43-48, and elsewhere. Camden, in his *Annals of Elizabeth* (1615), was the first historian to make use of *The Device*. He introduces it as follows:—(Elizabeth) 'commanded the consultation to be hastened amongst her most inward counsellors, how the Protestant religion might be re-established and the Popish abolished, all perils being weighed which might grow thereby, and by what means they might be put by.' (Gee, *ibid.*, pp. 14-15.)

the Council. But the probability is that it is the work of Cecil.' If not actually drawn up, there can be little doubt that it was inspired by Cecil, and that he made it his own is clear from the fidelity with which its details were carried out during the next few months. The author of *The Device* pre-supposes that the change in religion has already been decided on, and proceeds to ask himself several practical questions to which he gives the answers.

- i. When the alteration shall be first attempted?
- ii. What dangers may ensue upon the alteration?
- iii. What remedy for these matters?
- iv. What shall be the manner of the doing of it?
- v. What may be done by her Highness for her own conscience openly before the whole alteration; or if the alteration must tarry, what order be fit to be in the whole realm as an interim?
- vi. What nobleman be most fit to be made privy to these proceedings, before it be opened to the whole Council?
- vii. What allowances those learned men shall have for the time they are about to review the Book of Common Prayer, and order of ceremonies, and service in the Church, and where they shall meet?

The change has to be effected at the next Parliament. As to the dangers envisaged, the writer shows remarkable clearness of vision into present and future conditions. What is perhaps of more interest to us are the remedies suggested. Opposition will come from some highly placed in the Government; those, therefore, of Mary's Council who are known to be staunch Catholics 'must be

searched by all law as far as justice may extend, and the Queen Majesty's clemency to be extended not before they do fully acknowledge themselves to have fallen in the lapse of the law. They must be based of authority (*i.e.* degraded), discredited in their countries so long as they seem to repugn to the true religion or to maintain their old proceedings . . . and contrariwise, . . . so must her Highness' old and sure servants, who have tarried with her, and not shrunk in the late storms, be advanced with authority and credit.'

To counteract this correctly anticipated resistance the Government 'must seek as well by Parliament as by the just laws of England in the "Praemunire," or such other penal laws, to bring again in order, and being found in default, not to pardon till they confess their fault, put themselves wholly to her Highness' mercy, abjure the Pope of Rome, and conform themselves to the new alteration.'¹ A characteristic Tudor remedy was to be applied in the case of the Justices of the Peace and army officers. The former were to be removed and their places taken by 'men meaner in substance and younger in years'; while regarding the army the ruling was, 'in the meantime musters and captains appointed, viz. young gentlemen which earnestly do favour her Highness. No office of jurisdiction or authority to be in any discontented man's hand, so far as justice or law may extend.' Great care was to be taken in the choice of county lieutenants; the new nominees were to be 'one or two men known to be sure at the Queen's devotion.' The alteration of doctrine and liturgy was to be entrusted 'to such learned men as be meet to show their

¹ *The Device* winds up this paragraph with the interesting reflexion: 'And by this means well handled, Her Majesty's necessity of money may be somewhat relieved.'

minds therein,' and, as 'apt men,' Bill, Parker, May, Cox, Whitehead, Grindal and Pilkington were suggested—all of whom heresy had forced into retirement or exile during the late reign. They were to prepare a plan of the new religious settlement which was to be presented to her Majesty, and, if approved by her, to be introduced into Parliament. Finally, in this connection, 'it is thought most necessary that a strait prohibition be made of all innovation' until the work of this commission is finished and duly sanctioned.

These few extracts will suffice to show the mind of Elizabeth and her advisers on the question of religion. In the voluminous documentary records of Elizabethan policy *The Device* is without parallel for explicitness and candour. It must be admitted that the survey of the situation unfolded in its pages does credit to the perspicacity and shrewdness of the framer: the change must have behind it the full force and sanction of legality: no vital contingency was overlooked, and even minute details like the meeting-place of the reforming commission and their daily allowance of food and drink were carefully set down.

'THE DEVICE' IN OPERATION.

Turning from the documents to take a glance at what actually happened, the student can hardly fail to note the fidelity and the success with which events followed according to plan. Before long, the Catholic element in the Privy Council was outnumbered and reduced to insignificance. Elizabeth retained only 11 of the 35 Councillors of the previous reign, and to neutralize any Catholic tendencies there might be in those who were retained, eight men of the Queen's way of thinking were

added.¹ Sandys, just returned from exile, wrote to Bullinger at Strasburg, December 20th, 1558, giving the cheerful news that 'The Queen has changed almost all her counsellors, and has taken good Christians into her service in the room of Papists; and there is great hope of her promoting the gospel and advancing the Kingdom of Christ to the utmost of her power.'² The hope was certainly based on a good foundation of facts. On the accession of a new Christian monarch it had been the traditional etiquette to send the Pope and the other crowned heads of Europe formal notification. The Pope's name was struck off the list by Elizabeth on November 18th. Her every public appearance was made an occasion for an unmistakable anti-Catholic demonstration. There is the well-known incident of her reception of the English Bible during her state entry into London a week after she was proclaimed Queen:— ' 'Twas let down from one of the triumphal arches,' writes Collier,³ 'and presented by a child representing "Truth." When she discovered the present, she first kissed her hands, and then received the book, kiss'd it, lay'd it to her heart, promised to read it, and returned to the city more thanks for this present than for all the rest of great value she had already received. It must be said that she was a great mistress of behaviour, and perfectly understood the art of making herself popular without expense.'

The heretical element among the people, which during Mary's reign had been driven underground at home or

¹ Cf. *Zurich Letters*, I, p. 5, notes 3 and 4.

² *Zurich Letters*, I, No. 2, a confirmation of the statement of de Feria, the Spanish Ambassador, that England 'was entirely in the hands of young folks, heretics and traitors.'

³ *Eccl. Hist.*, VI. 412.

sought safe refuge abroad, harboured no doubts as to the new Queen's religious predilections. They did not wait for an invitation to reappear, and London immediately became the scene of violent religious controversy and iconoclastic fury. Elizabeth's choice of a preacher at St. Paul's Cross on the first Sunday (November 20th) of her reign was William Bill, formerly Dean of Westminster, who had been deprived under Queen Mary. The sermon though advisedly moderate in tone, was sufficiently ominous to provoke a spirited reply from the same pulpit by Christopherson, Bishop of Chichester, on the following Sunday. The Bishop paid the penalty for his zeal by being sent to the Tower. From Zurich, Strasbourg and Geneva, the refugee heretics at once flocked back to England, where the Queen extended to them a hearty welcome, and 'openly declared her satisfaction.'¹

The already well-founded fears for the old religion were confirmed and increased by the Queen's attitude towards the Sacrifice of the Mass. Goodrich's advice had not fallen on deaf ears. On Christmas day, 1558, Oglethorpe, Bishop of Carlisle, received a command from the Queen as he stood vested to say Mass in the Royal Chapel, that he must not elevate the Host. This was equivalent to an open declaration of her rejection of the doctrine of the Real Presence and of the Sacrifice. The Marian bishops were, however, made of sterner stuff than their predecessors under Henry VIII, and Oglethorpe boldly replied 'that whether he should say Mass at that altar or not was as the Queen pleased, but with the rite and with what ceremonies it should be said, he being a Bishop knew quite well, nor would he make any

¹ Jewell to Peter Martyr, January 26, 1559, (*Zurich Letters*, I, No. 3.)

change.¹ To show her displeasure, Elizabeth with her retinue withdrew from the chapel after the Gospel. A similar injunction against the elevation of the Host was issued for the Mass that followed the Coronation ceremony on January 15th. The celebrant on this occasion was the obedient Court Chaplain—Oglethorpe, who had reluctantly consented to crown the Queen in the hope that she might yet be won over to the Catholic cause, again refusing to comply.

On December 27th, 1558, appeared a royal proclamation in which 'her Highness doth charge and command all manner her subjects. . . . That they do forbear to preach or teach, or give audience to any manner of doctrine or preaching, other than the Gospels and Epistles commonly called the Gospel and Epistle of the day, and the ten Commandments in the vulgar tongue, without any exposition or addition of any manner, sense or meaning to be applied or added: or to use any other manner of public prayer, rite or ceremony, but that which is already used and by law received, as the Common Litany, used at this present in her Majesty's own chapel, and the Lord's Prayer and the Creed in English, until consultation may be had by Parliament, by her Majesty and her three estates of this realm, for the better conciliation and accord of such causes as at this present are moved in matters and ceremonies of religions.'²

The royal wishes in this matter were rigidly carried out in the case of Catholics, and on February 28th, 1559, Richard Hilles could write from London to Bullinger ' . . . silence has been imposed on the Catholic preachers

¹ *Catholic Rec. Soc.*, Vol. I, 34. Sander to Morone, May, 1561.

² Wilkins, *Concilia*, IV, 180. Cardwell, *Documentary Annals of the Church*, I, 209.

(as they are called) . . . and sufficient liberty is allowed to the gospellers to preach three times a week during this Lent before the Queen herself, and to prove their doctrine from the holy scriptures.'¹ It will also be noted that this proclamation authorizes certain innovations in public worship which clearly indicate a reversion to religious conditions of the time of Edward VI and the last years of Henry VIII. Moreover, the religious question is to be settled by Parliament.

These various incidents, and many others of a similar nature, are ample justification for the suspicion with which both clergy and laity regarded the opening of Parliament on January 25th.² So strong was the feeling, that the clergy of the southern province assembled in Convocation at this time thought it expedient to draw up for the instruction of the laity who were attending Parliament certain articles 'which breathe out Roman Catholicism of an uncompromising and militant sort.'³ (i) That they believed that in the Eucharist there is a real and natural presence of the Body of Christ, the bread being transubstantiated into the Body and the wine into the Blood; that this is the Catholic faith

¹ *Zurich Letters*, 2nd series, No. vii, 'In the Queen's first Lent, on the 23rd of February, Mr. Grindal preached before her Majesty. In which Lent there preached also divers other learned protestant divines, . . . viz., Dr. Cox, Dr. Parker, Dr. Bill, Dr. Sandys, Mr. Whitehead; all of whom, excepting the second and the third, had but lately come from exile.' (*Ibid.*, p. 16, note 2; cf. Strype 'Grindal' p. 35.)

² Parliament had been summoned for January 23rd, but the opening was postponed till the 25th, owing to a temporary indisposition of the Queen.

³ W. F. Maitland, *Collected Papers*, III, p. 120. Concerning these articles Prof. Maitland says that they 'give ample warrant for denying that the changes in worship that were effected in 1559 were authorised by any constitutional organ of the English Church.' *Ibid.*

according to the truth of the Gospel; (ii) That the Mass is a propitiatory sacrifice for the living and the dead; (iii) That the Roman Pontiff is the Head of the Church and the Vicar of Christ. These articles were unanimously approved of by the Synod as also was the further declaration 'That the laity ought not to deal with sacred questions, and still less to make laws concerning them.'¹ This doctrine was unreservedly accepted by the Universities of Oxford and Cambridge, though assent was not given to the article concerning the laity, on the ground that some recognition ought to be made of the status of the Universities as authorized teaching bodies. These propositions were then sent up to Parliament and were graciously received by the Keeper of the Great Seal, Sir Nicholas Bacon. They were never read in Parliament,² and perhaps the only result of this united protest of the clergy was the unfortunate conference at Westminster a few weeks later, when four Catholic Bishops and as many theologians met eight protestant divines to debate the doctrinal points then in dispute. The conference broke down after two futile sessions owing to the inability of the parties to agree on the lines of procedure and to the partiality of Sir Nicholas Bacon, who presided.³ As far as the Catholics were concerned, the whole affair was a dismal failure, and led

¹ Sanders to Morone, May, 1561. *Cath. Rec. Soc.*, I, pp. 31-32. Cf. also Wilkins, *Concilia*, IV, 179-180.

² The Bishop of London, Bonner, in answer to a later enquiry as to the fate of the Articles, said 'Se exhibuisse domino custodi magni sigilli in superiori domo, qui erat os commune omnium dominorum illius domus. Qui articulos praedictos, ut apparebat, gratanter accepit, sed nullum omnino responsum dedit.' (Wilkins, *Concilia*, *ibid.*)

³ Cf. Cardwell, *History of Conferences*, pp. 55-92, for the discussions.

to the imprisonment of the Bishops of Lincoln and Winchester.

✓ To what extent the first Parliament of Elizabeth was packed historians are not agreed, but the ultra-protestant tone of the Commons would seem to indicate at least a judicious discrimination in the selection of members. They at once began to question the validity of the writs of summons because 'Supreme Head of the Church' had been omitted from the Queen's title, and whether the same technical flaw in the summons did not nullify the Acts of the last Parliaments of Queen Mary. A special committee of the Commons appointed to examine the matter declared for the validity in both cases, a decision inspired, no doubt, by the Queen and her counsellors, who must by this time have determined to adopt in all the changes contemplated, the constitutional and safer course of repeal. Parliament, therefore, immediately settled down to the framing and passing of those Acts which form the legislative basis of the Elizabethan religious settlement—the Act of Supremacy and its by-product, the Act of Uniformity. The story of the passage of these bills through Parliament cannot here be told in full, but it may be said in general that opposition was not lacking, and that the whole procedure was characterized by a haste unparalleled even in matters of considerably less moment. The act for restoring supreme ecclesiastical jurisdiction to the Crown and abolishing the 'usurped' jurisdiction of the Bishop of Rome was first introduced on February 7th. For various reasons, not always apparent, the original bill had to be redrafted twice before a satisfactory wording was reached. Each amendment, however, passed through both Houses with the same lightning rapidity.

Three consecutive days generally sufficed for the three readings of the bill in either House.¹

The Act of Uniformity first appears in the Commons on February 16th, and the Government's original idea seems to have been that it should pass through Parliament 'pari passu' with the Act of Supremacy. After the first reading, however, the Uniformity Bill was shelved for two months and does not reappear until the Supremacy Act had reached its final stage. This postponement was doubtless due to the consistent and unanimous protests of the clergy for the preservation of the old religion—an attitude which compelled a cautious Government to seek the shelter and support of the 'royal supremacy' for the alterations proposed. On April 18th, a new Uniformity Bill, differing from that of February 16th, was introduced in the Commons; April 19–20, saw its second and third readings; April 25th, the bill was sent to the Lords; by the 28th, it had passed its three readings in the latter House and was finally carried by a majority of three votes. On May 8th, the Acts of Supremacy and Uniformity received the royal sanction, and the Church of England, as by law established, came into existence. The outstanding feature of this session was the unbroken front presented in the House of Lords by all the Bishops, including Kitchen of Landaff, against both measures. 'Indeed,' writes one of the most distinguished non-Catholic historians of recent years, 'the solidarity of the English episcopate at this critical moment seems to me as wonderful as it is honourable.'² Had the episcopate been fully represented, neither measure would have secured the requisite

¹ Cf. H. Gee, *Elizabethan Clergy*, pp. 4–7.

² W. F. Maitland, *Collected Papers*, III, p. 122.

majority in the Lords, and different tactics from those which actually succeeded would have been necessary to change the religion of the country.¹

The Acts of Supremacy and Uniformity are the two main permanent factors in the new establishment. The former swept away all foreign authority, whether spiritual or temporal, restored to the Crown its 'ancient jurisdictions' ('ancient,' of course, to be understood as not earlier than 1534), repealed Queen Mary's second Statute of Repeal and re-invested the sovereign with supreme authority over the Church. Essentially, it was the Henrician supremacy revived with a slight change in the title. Elizabeth had from the beginning intended to resume her father's unprecedented ecclesiastical claim, though, with customary duplicity, she concealed it under an ambiguous '&c.' added to all the titles used by Mary. That the addition was no chance flourish of some irresponsible clerk, but the result of deliberation in the highest Government circles is proved by an entry in Cecil's memoranda for November 18th, 1558, the second day of the reign, which runs:—'A commission to make out writs for the parliament touching "&c." in the style of the writs.'²

A powerful speech in the House of Lords by Heath,

¹ There were in England 26 Sees at this period. On November 17th, 1558, six were vacant and this number was increased by death to 10 before the end of the year. White of Winchester and Watson of Lincoln were in prison; Goldwell of St. Asaph does not appear to have received a summons to Parliament. Durham, Bath and Wells, Peterborough and St. Davids were too old or too ill to travel in the winter; Thirlby of Ely was abroad on a diplomatic mission when Parliament opened, but rejoined and voted with his fellow-bishops on his return.

² *S. P. Dom.*, Vol. I, No. 3. The whole question of this '&c.' has been amusingly and convincingly cleared up by W. F. Maitland in his *Collected Papers*, III, p. 159, *et seq.*

Archbishop of York, had emphasized the point that a woman could not be, never had been, Head of the Church. Soon after its delivery we find Elizabeth declining the title of supreme head but willing to accept the substance of the supremacy as 'Supreme Governor of this realm . . . as well in all spiritual or ecclesiastical things or causes as temporal.' Ostensibly to clear away all misconceptions, and at the same time to make the religious situation more bewildering for common folks, the royal position was elaborately defined in an appendix to the Royal Injunctions¹ issued June 24th, 1559, when the Act of Uniformity came into force, and later in the XXXIX Articles of 1563 and 1571 as follows:—'. . . we give not to our princess the ministering either of God's word or of the Sacraments, the which thing the Injunctions also lately set forth by Elizabeth, our Queen, do most plainly testify; but only that prerogative which we see to have been given always to all godly princes in Holy Scripture by God Himself; that is, that they should rule all estates and degrees committed to their charge by God, whether they be ecclesiastical or temporal . . .' (Art. XXXVII). Explain this away as you may, the fact remains that henceforth in England the Crown claimed and exercised what had till then been the exclusive prerogative of the Papacy, the supreme ecclesiastical jurisdiction, which the Sovereign, in virtue of the Act of Supremacy could at discretion delegate to others, even to laymen.² To secure the

¹Wilkins, *Concilia*, IV, pp. 182 *et seq.*; and Cardwell, *Documentary Annals*, I, 210 *et seq.*, where the Injunctions are reprinted entire.

²' . . . The Reformation, by emancipating the country from Papal control, transferred to its ruler that divine right which was formerly the peculiar property of the Pope.' (W. S. Holdsworth, *History of English Law*, IV, 215.)

Supremacy, the Act enforced a declaratory oath to be taken by all ecclesiastics and by all persons holding office under the Crown, and penalties, which might culminate in the forfeiting of all property or in death, were enacted for all who might defend or maintain 'the authority, power or jurisdiction, spiritual or ecclesiastical, of any foreign prince, prelate, state or potentate whatsoever, heretofore claimed, used or usurped within this realm.'¹

In the Act of Uniformity, the second main plank of the Elizabethan Settlement, we discover at work in the religious life of the nation the Tudor conception of a unified and uniform state. *The Device* had proposed the alteration of doctrine and worship by a specially selected committee, whose scheme, if approved by her Majesty, was to be submitted to Parliament. The plan submitted or, at any rate, incorporated in the Act of Uniformity was merely the reintroduction of the second Prayer Book of Edward VI, which had placed England definitely on the side of the Reformation in Europe.² In this book, the doctrines of the Real Presence and Transubstantiation were denied, and the Mass was proscribed. The *glad* tidings were immediately communicated to the heretics abroad:—'The Pope is again driven from England,' wrote Parkhurst to Bullinger, May 21st, 1559,³ 'to the great regret of the Bishops and

¹ I. Eliz. c. i, ix, xiv, (cf. Kennedy, *Elizabethan Episcopal Administration*, I, pp. xxxv–vii.)

² Tanner, *Tudor Constitutional Documents*, p. 135.

³ *Zurich Letters*, I, No. 12. The penal legislation against the Mass seems to have moved Jewell to great merriment:—'There is nothing, however, of which they (Catholic priests) have any right to complain; for the Mass has never been more highly prized within my memory: Each being now valued, to every individual spectator, at not less than 200 crowns.' (To Peter Martyr, March 5th, 1560. *Ibid.*, No. 30.)

the whole tribe of shavelings. The Mass is abolished.' Throughout the kingdom the use of the Book of Common Prayer, and it alone, was enjoined by the Act of Uniformity, while any clergyman refusing to follow in his church the statutory rites and ceremonies, or using any other in public worship, was liable to 'a progressive scale of punishment, ending for the third offence in deprivation and imprisonment for life.'¹ The Act further requires attendance at church on Sundays and Holy Days under pain of a fine of 12d. for each absence, over and above the severe ecclesiastical censures incurred.

Armed with these two powerful constitutional weapons, Elizabeth and Cecil proceeded to order a royal visitation of the dioceses which lasted from June to October of 1559. The visitors, all laymen, with the exception of one or two of the 'learned divines' mentioned in *The Device*, were fully empowered to carry out 'The Settlement of religion' as laid down in the Acts of Supremacy and Uniformity. They were equipped with the royal injunctions and articles already referred to, amplifying and explaining the two Acts, and indicating in broad outline new methods of parochial government. The two principal objects of the Visitation, to administer the Oath of Supremacy and to enforce the use of the Prayer Book, were exacted with rigour among the higher clergy and Government officials, while in marked contrast was the mild and lenient treatment of the lower clergy and common people.² This latter was due, not to any motives of clemency, but to a political wisdom

¹ Kennedy, *op. cit.*, I, xxxviii.

² Cf. Meyer, *England and the Cath. Church under Queen Elizabeth*, pp. 10, 29 *et seq.*

which recognized the inexpediency of indiscriminate violence while the nation was almost wholly Catholic, and the Queen's title to the throne by no means universally regarded as valid. The Bishops, with one probable exception, refused to take the oath or accept the Prayer Book and were immediately deprived of their Sees and their liberty.¹ It does not fall within the scope of this paper to discuss how far the rank and file of the clergy submitted without protest to the new settlement, but it may be said in passing, that the frequent complaints concerning 'massing and non-conforming priests' and the very large number of parish vacancies mentioned in the episcopal Visitation reports, seem to indicate a much more numerous band of recusants than is generally supposed. Moreover, there was undoubtedly a deliberate remissness on the part of the Elizabethan Bishops and officials in administering the Oath of Supremacy. The Act of 1563 declared a second refusal to take the oath to be high treason—but the law is said to have remained a dead letter, due, in addition to the reasons for caution already given, to fear of complications abroad. There is an interesting circular issued about this time by Parker to his Suffragan Bishops forbidding them to tender the oath a second time without written orders from him. The last paragraph of the letter, which was drafted by Cecil, declares that 'this

¹ The Venetian Dispatch of June 27, 1559, says that the Bishops were 'bound not to depart from England, and not to preach or exhort whatever in public or private, and still less to write anything against the order and statutes of this Parliament, nor to (give occasion to) insurrection or any other scandalous act, under pain of perpetual imprisonment, demanding security and promise to be given by one for the others.' It also says that on June 26th they received orders where to dwell (quoted by H. Gee, *Elizabethan Clergy*, p. 36, note).

manner of my sudden writing at this time is grounded upon great and necessary consideration.¹ It is, however, a mistaken view of the history of this period to say that there was no religious persecution, even although there may have been little or no blood shed. The nation was harried, coerced and starved into conformity on as large a scale as the political conditions of the times would permit. The religious and private life of the people was regimented and scrutinized after a fashion that would convict the Inquisition in its palmyest days of moral degeneracy.² The pulpit, of course, provided an easy means of propaganda, was hedged around with the most minute regulations, and inevitably became 'the active handmaid of Elizabethan statecraft.' All preachers had to be specially licensed by the Bishop or Archbishop, or by royal authority, and the type of sermon was jealously controlled. Every precaution was taken that the sermons should be doctrinally 'sound,' that no word was uttered detrimental to the 'sound doctrine received.' In accordance with the Injunctions of 1559, quarterly sermons (sometimes increased to six) were ordered in every parish church, having for their text 'the usurped power of the Bishop of Rome,' and extolling the Queen's authority as the highest power under God within the realm. Another favourite theme was the defence of 'the Prayer Book and the administration of the Sacraments and other rites and ceremonies of the Church of England.' Given the persistent application of such methods, coupled with a steady

¹ *Parker Letters*, No. 128.

² Cf. Kennedy, *Elizabethan Episc. Admin.*, Vol. I, *Ch. on the Laity*.

pressure of the Act of Uniformity with its penalties, it is not difficult to see how a new generation grew up that knew not the old tradition, and how the nation gradually lost the Faith.

FOREIGN POLICY OF 'THE DEVICE'

The Device did not restrict its outlook to domestic problems—the possibility of formidable dangers from the united action of the great Catholic powers on the Continent was foreseen and forestalled. When Elizabeth became Queen, the two greatest European powers were France and Spain, ruled respectively by the royal houses of Valois and Hapsburg. The rival ambitions of these two dynasties had already for over half a century cut across and dominated the secular politics of Europe. War was in progress in 1558, and England, owing to Mary's marriage with Philip II, had been disastrously involved on the Spanish side against France. Hence the fear expressed in *The Device* that as the result of any attempt at religious revolution in England 'the French King will be encouraged the more to make war . . . to fight against us, not only as enemies, but as heretics . . . Scotland will have some causes for boldness; and by that way the French King will seem soonest to attempt to invade us. Ireland will also be very difficultly stayed in their obedience, by reason of the clergy that is so addicted to Rome.' Spain is not mentioned as a menace; active hostility from that quarter was unlikely as long as the success of the Spanish cause depended largely on their retention of English friendship. Concerning France, *The Device* counselled the English Government 'to practise a peace: or if it be offered, not to refuse it. If controversy of religion be

there among them, to help to kindle it.' Peace with the French would mean peace with their traditional ally, Scotland, but to make this more certain, north of the Tweed 'there may be practised to help forward their divisions, and especially to augment the hope of them who incline to good religion . . . And some expense of money in Ireland.' Peace was actually made a few months after Elizabeth's accession at Cateau-Cambrésis, where England had to resign herself to the loss of Calais, her last foothold in France. The religious foreign policy of *The Device* found ample scope for fruitful work in the French Wars of Religion and the prolonged Protestant Revolt in the Netherlands against Spain. In Scotland, the success was even greater. A persistent and skilful fostering of the 'Reformation' element, together with an insidious policy of intrigue with the turbulent Scottish nobility, soon detached that country from its French alliance, and won it over to the cause of England and Protestantism. These diplomatic triumphs may enhance Cecil's reputation as a statesman, but when seen in their larger European perspective, they are due almost entirely to the selfish conduct of the great Catholic powers during this critical century in the Church's history. Elizabeth could not have altered the religion of the country nor, in all probability, would Scotland be a Protestant country to-day, had France and Spain sunk their mutual jealousies and subordinated their rival ambitions for territorial aggrandisement to the imperilled interests of Catholic unity. The kings of France and Spain were willing enough to deal drastically with their own Protestant subjects, for the new phase of the Reformation which had arisen at Geneva clamoured for civil as well as religious 'liberty' and

threatened to destroy all orderly government. Both nations realized that a counter-reformation was imperative in the interests of both Church and State. If, however, the Protestant subjects of one or other sovereign made it possible for him to secure some political advantage over his rival, the temptation to remain passive, at times even to lend active assistance, generally proved too strong to be resisted. The French, who had fomented Protestant plots against Queen Mary, were now anxious for a Catholic England with Mary Stuart on the throne. Spain, staunchly loyal to the Faith throughout this period of widespread defection, could not suffer England to be rescued from apostasy by any efforts of the French. The attitude of Philip II towards all attempts at reconciliation between Elizabeth and the Holy See seems to have been one of consistent obstruction. In keeping alive the mutual distrust of her powerful neighbours lay the English Queen's only hope of safety for her throne and for the new religious settlement—and she used her opportunities well.¹

ELIZABETH AND THE HOLY SEE

Given this political situation in Europe, Elizabeth's insolent treatment of the Holy See is hardly matter for surprise. 'Rome,' according to the forecast in *The Device*, 'is less to be doubted: from whom nothing is to

¹ 'In spite of treaties, in spite of the counter-reformation movement, the same jealousies which had enabled Henry VIII and Edward VI to act in defiance of the opinion of Catholic Europe could be relied on to protect England against any combined attack from the two great Catholic powers on the Continent. It was a thorough knowledge of the very mixed motives governing the action of continental statesmen, and the skilful use made of that knowledge, which enabled Elizabeth and her advisers to solve successfully the multifarious problems of the first years of her reign.' (Holdsworth, *op. cit.*, IV, p. 44.)

be feared, but evil will, cursing and practising.' Rome was indeed powerless to enforce her sanctions without the active support of France and Spain, but the prophecy of Papal antagonism was completely falsified by the facts. A story, first mentioned by the anti-clerical Sarpi, for centuries obtained credence that the ecclesiastical changes which followed the death of Mary Tudor were hastened, if not actually occasioned, by the harsh and domineering attitude of Paul IV towards Elizabeth. The fiery and imperious temper of the Caraffa Pope lent a certain probability to the story, for had not Paul threatened to deprive Charles V of his dominions for heresy, and talked of citing Cardinal Pole before the Inquisition on a similar charge? We know now that the story is a calumny, and it is so treated by modern scholars. The official letters of Sir Thomas Carne and Babou, respectively English and French ambassadors in Rome at the time, prove conclusively that Paul's attitude towards Elizabeth was entirely and unexpectedly friendly.

Paul IV died on August 18th, 1559, and it is certain that during the last nine months of his reign he took no specific action of any kind against the English Queen; he made no pontifical declaration, nor did he institute canonical proceedings against her. His first recorded mention of her shows no trace of hostility, and in a conversation with Babou at the end of December he uses language which clearly implies that he regarded her as Queen. As late as February 16th, 1559, Paul was still favourably disposed and resolved to take no steps against her unless she provoked him. He was at the moment contemplating the dispatch of a nuncio as soon as the mission promised in the previous December

arrived from England. Elizabeth had adopted the policy of bluff advocated in Goodrich's *Divers Points*, but the idea of sending a mission to Rome was never seriously entertained; nothing more is heard of it after the opening of Parliament on January 25th, and on February 4th Carne was recalled on the ground that there was no further reason for him to remain in Rome.¹ As news of Elizabeth's conduct and of the Parliamentary proceedings filtered through to Rome, the Pope's sentiments changed—he deplored the course that events were taking, and the peril to which souls were exposed in England, but apart from urging Philip II to do his duty as a Catholic monarch, he gave no hint as to the line of action he himself might take. This restraint of Paul IV has been described by one of the most impartial non-Catholic writers on Roman relations during these years as 'one of the mysteries of history . . . in spite of continuous provocation his attitude towards her was forbearing almost to the last.'²

The same patient forbearance and conciliatory spirit characterised the policy of Paul's successor, Pius IV. He made at least four attempts to secure Elizabeth's conversion. In November, 1560, Parpaglia titular Abbot of SS. Solutore, Turin, was sent with a papal brief couched in the most friendly and persuasive tone,³ but he got no further than Brussels. He was recalled before Elizabeth was given the opportunity of refusing him admission, in deference to the insistent protests of Philip II, that both the mission and the choice of envoy were disastrous to Spanish interests. The Pope desired

¹ Cf. *Foreign Calendar*, 1558–9, No. 474.

² C. G. Bayne, *Anglo-Roman Relations*, 1558–1565, p. 39.

³ The document is printed in Wilkins' *Concilia*, IV, 219.

only the conversion of England, but with Spain, religion was again postponed to politics. The following year Pius chose Martinengo as his nuncio to present the brief of the previous November to the Queen, and also an invitation to send her ambassadors (no mention is made of her Bishops) to the Council of Trent, which was about to resume its sessions. The Pope addressed Elizabeth as his 'dearest daughter in Christ,' told her she would learn from his nuncio how deeply he desired her return to Catholic unity, implored her to do her duty as a Catholic Queen, and finally promised that, if she did so, he would with paternal care exert whatever power he possessed to secure her royal dignity and the peace of her kingdom. Cecil persuaded Elizabeth to refuse admission to Martinengo, and her decision was endorsed by the Privy Council, May 1st, 1561. The visit of Fr. David Wolff, S.J., to Ireland as Apostolic Legate, and the bogus plot¹ discovered by Cecil in Essex, were used as pretexts for refusal.

Reviewing the negotiations between England and the Holy See during this period and the part played in them by the various powers, C. G. Bayne unhesitatingly gives the place of honour to Pius IV. In the words of this historian, 'The welfare of England was very near his heart, and there was not a year of his reign in which he did not concern himself in one way or another with

¹ Cecil wrote to Throgmorton May 8th, 1561:—'When I saw this Romish influence towards about one month past, I thought necessary to dull the papistes' expectation, by discoveryng of certain massmongers and punishyng of them as I doo not dowt but ye have heard of them. I take God to record that I mean no evill to any of them but onely for the rebatyng of the papistes' humors which by the Queen's Majestes lenyte grew to rank. I find it hath done much good.' (*S.P. Foreign, Eliz. XXVI, No. 154.*)

English affairs. . . . As father of Christendom he held himself bound by all means in his power to bring back England to what he believed to be the only true Church.¹

After the failure of the Martinengo mission the Pope abandoned the attempt to communicate officially and personally with Elizabeth. The efforts made by Cardinal Ferrara, nuncio in Paris, in 1562, were sanctioned by Pius, but by this time he was no longer hopeful. Regarding his later endeavour to negotiate privately with Elizabeth through Sir Thomas Sackville, Prof. Maitland asserts that the Queen 'was once more told that if she would enter the Catholic fold, she might be as legitimate as the Pope could make her, and that there would be no trouble about the spoils of the monasteries. On the other hand, no hint is given of any approval of her Prayer Book or any compromise in matters of faith or worship.'² The responsibility for England's defection from the Catholic Church cannot be laid at the door of the Papacy.

A critical study of the events of 1559 will remove any honest doubts as to whether a change of religion in England was intended and unscrupulously carried out on radical and permanent lines. The supreme ecclesiastical jurisdiction was transferred from the Pope to Elizabeth and her successors. Anyone, henceforth, maintaining Papal authority forfeits office, benefice and goods, and, on a third conviction, his life as a traitor. The legislative power of Convocation was subjected to royal control: in the words of Henry VIII it was once again declared that all episcopal jurisdiction is derived from the Crown, either directly or indirectly through the royal

¹ *Anglo-Roman Relations*, p. 218.

² *Collected Papers*, III. Cf. p. 180, *et seq.*

delegates, who, by the Queen's warrant of July 19th, 1559, constitute the Court of High Commission in causes ecclesiastical.¹ To these same delegates, who may be laymen, lie all appeals from the Church Courts. Transubstantiation and the Real Presence in the old and only Catholic sense are denied. A Prayer Book, which the Church 'did not enact or propound,'² prescribes the only lawful form of common worship which excludes the sacrifice of the Mass as idolatrous superstition and as legally criminal. The break with the past is complete in all that is essential to continuity—in authority, faith and worship. Moreover, this radical change is made by the Queen and her Privy Council, employing the constitutional machinery of a subservient Parliament against the will of the English hierarchy and Ecclesiastical Councils. The unanimous dissenting voice of the Church in 1559 was ignored and silenced. It cannot be too emphatically stated, nor can it be historically challenged, that the Elizabethan religious settlement is entirely the work of the laity, and the Church of England which that settlement created cannot constitutionally be regarded otherwise than as a department of the State. Disagreeable as it may sound to certain modern ears, the religious settlement of 1559 was undisguised and unabashed Erastianism. Viewed in the light of its origin, the Church of England can claim 'spiritual independence' and 'an inalienable right' to formulate and determine its own beliefs only by flying in the face of history. The Crown in Parliament gave it birth, and is the source of its ecclesiastical jurisdiction; that same power dictated its doctrine and its worship, nor can

¹ Cf. Cardwell, *Documentary Annals*, I, 255-263.

² W. F. Maitland, *op. cit.*, III, 121.

any alteration be made in either without an Act of Parliament. In the Elizabethan political theory and practice there was no room for two religions. To establish the new order, the old Catholic Faith had, if possible, to be extirpated, and in the persecution which followed many heroic men and women endured hideous forms of torture and death rather than subscribe to the innovations in religion. They are our Elizabethan English martyrs.



IX

THE CLIMAX OF THE PERSECUTION

THE ACT OF 1585

BY THE REV. H. HARRINGTON, M.A.

THE Act of 1585, against Jesuits, seminary priests and such like disobedient persons, marks the height of the persecution of English Catholics, because it is finally decisive against the Catholic conception of the Church. It put beyond all doubt the fundamental divergence of Christianity from Anglicanism, and made evident the determination of the English Government to do all in its power to destroy the Christian Church in this country.

But it does not mark any notable change in policy. From the foundation of the Church there had been inevitable opposition between the Christian belief that religion, being revealed and supernatural, was the business of the supernatural organization, the Church, and the pagan conception that external religion is an affair of this world, and therefore the business of the State. This age-long conflict had been apparent throughout the Middle Ages. As they came to an end it had broken out both on the Continent and in England with increased bitterness.

In England, under Henry VIII, and (leaving aside the temporary measures of Edward VI and the Catholic reaction of Mary) under Elizabeth, the attack of the State was at first directly against the belief in any supernatural authority on earth which could prevail

over worldly powers. This Act turns the attack directly against the priesthood, and, therefore, against the Sacraments, and particularly against the Mass; but it is not therefore a new attack. This second onslaught is the inevitable outcome of the first. If then we are to understand it we must understand all that had led up to it.

Other lectures have dealt with the earlier stages of the struggle, and have shown that the question at issue was the constitution of the Church. But to show that this was still the main cause of dissension we must summarize much earlier history. The whole Reformation in England is the imposition by force on this country of an Erastian worldly interpretation of religion in place of the earlier truly Christian view. According to Christian teaching, God when He had redeemed men and given them a revelation, did not then leave them to continue alone. He founded a society, which is a perfect society, having all that is necessary for the attainment of its ends,—the preservation of Christ's teaching intact, and the bringing to individual souls that supernatural life of sanctifying grace which is the fruit of our redemption. Consequently this society in carrying out its own work is distinct from all earthly powers and independent of their control. For this belief the reformers, often unintentionally, substituted an erroneous conception, that men's relations with God were mainly personal, and external religious acts and discipline were social and worldly, and consequently the business of temporal powers. Whether we like it or not, and in spite of Puritan resistance to governmental control, this is the assumption underlying all attacks upon the Church by the State, and is certainly the necessary implication

of governmental ordering of religious beliefs and practices.

Elizabeth's Government, however, found that the Church was prepared to resist. Her officials, the priests, were increasingly active, and were working with some success against the impious Erastianism of the Court. Some Catholics were perhaps using wrong methods; but all were aiming at the re-establishment of the true Christian system. Their success would have meant the end of the anti-Christian system, either by bringing about the fall of the rulers themselves, or by forcing them to confine their ambitions within legitimate limits. As these rulers were not prepared to forego any power, to allow God any right to authority in this world, save with their consent, they were forced to attempt the suppression of the officials of the Church, even when these confined themselves to preaching and the administration of the Sacraments. Granted the existence of plots and of intrigues against the Queen, it was not these alone that were the danger. The most purely spiritual work of Catholic priests threatened her inordinate ambitions. She was the aggressor, and by her own action had brought it about, that she must either renounce her usurped authority over the souls of men, or attack indiscriminately all Christian priests, even those who abstained from political action. The Act, therefore, which did thus condemn the priesthood as such, was passed, not merely from personal fear of plots, but because her own actions had made the cause of Christ necessarily hostile to her.

To illustrate these statements we must summarize earlier history. From the beginning of the Christian Church, from the day when Christ had been condemned

to death because the Jews would have no king but Caesar, it was plain that for Christ's followers there were matters beyond the control of earthly powers. In such matters the Christian Church claimed full authority over all her members, kings or peasants.

Under pagan Rome, the Church could do little to resist the immense imperial power, and only the strong resistance of martyrdom was open to Christians. But when the Empire became Christian, at once difficulties arose between Church and State, for instantly and inevitably the rulers of the Church refused to recognize any superior authority, even that of the Emperor, in purely religious matters. But though this was the ideal, both Popes and Emperors can sin as other men. Not infrequently, therefore, Emperors did try to use their authority in matters outside their jurisdiction. Moreover, Popes and Bishops sometimes proved disloyal to their trust and allowed too much authority to the temporal power, usually from cowardice or sloth. As Europe grew more disturbed and violent, even the highest clergy for various causes permitted themselves to be too much influenced, even controlled, by the lay powers, to the great detriment of Christendom.

Then at last, in the eleventh century, the Church found rulers bold enough to resist this usurped control exercised by Caesar over God's Vicar. The true Christian principle was enforced, that in Europe (the whole known world for practical purposes) the Christian people bound together by supernatural life in Christ, formed a Christian State or Republic (in the Roman, not the modern sense). in order to help each member to win his eternal salvation. This purpose was so high and so transcended all temporal ends, that anyone, even kings, who hampered the Christian

State in its work, came under the penal authority of the head of that state; and, therefore, true Christians must not obey, even in temporal affairs, such princes, if forbidden to do so, by the Pope, the Vicar of Christ, the head of the Christian Commonwealth; for by obedience they helped the prince, and co-operated, therefore, if only indirectly, in his resistance to the cause of Christ.

Naturally, Popes erred at times in their judgment of particular events, and occasionally swayed by ambition or error, put forward particular claims exaggerated beyond strictly justifiable limits. There is in such particular affairs no question of infallibility. Equally naturally, temporal rulers resisted such exaggerated claims. But such resistance, however justifiable and comprehensible, considered in the abstract, was always rendered wrong by being pushed too far, or by the use of unjustifiable weapons. Always too, in the ultimate analysis of the problem, if the Pope, as disciplinary head of the Church, even through a mistaken judgement of particular facts, decided that some policy or act was necessary for the attainment of Christian ends, then unless the Papal order were manifestly sinful, no temporal ruler could set against the Papal decision his own judgment, possibly itself erroneous. If he did, then in the judgment of Christ's Vicar, whom all Christians are bound to obey if they wish to be saved, he was using his power against the cause of Christ; and as that cause precedes all others, no Christian could justifiably co-operate with the rebellious ruler by giving him the aid of obedience.

Obviously true as these principles are, their practical application bristles with difficulties. These often obscured fundamental truth, and in attempting to

solve them even loyal Christians propounded solutions which could not be accepted by the Church. Though the issues were cleared gradually by the suppression of various errors, such as the Conciliar theory, and by the refutation of such heresies as the Hussite, even at the end of the Middle Ages practical confusion was still possible.

Then came the so-called Reformation with its fundamental attack upon the Church as such. In England, Henry VIII not in resistance to some mistaken Papal action, but in a spirit of aggressive innovation, claimed for the State, and for himself as its head, complete authority over religion. This claim, though resisted by loyal Catholics, whose sanctity gave them clear vision, was so subtly asserted that many were led to accept it without realizing the full consequences of their acceptance. They considered the whole affair as transient, and looked forward to the restoration of peace as it had been so often restored in the past after similar conflicts. Loyal in their fundamental allegiance to the Church, they were yet muddle-headed enough not to understand that their acquiescence in the King's exaggerated demands was entirely inconsistent with such loyalty. Fear and confusion led them to submit, but they were guilty not of heresy but of cowardly disloyalty.

This we can see in the next few years. The open heresy of Edward's reign caused many of the traitors to regret their treason when they saw whither it was leading. This they showed clearly under Mary.

Elizabeth began by reviving the essentials of her father's establishment,—insistence upon State authority even in purely religious matters. By now, however, loyal Catholics had learned from experience. They,

therefore, refused to accept her edicts. To reject Papal authority over religion for that of the Sovereign was, they now clearly understood, to render to Caesar the things that are God's. From the beginning then was apparent the antagonism between Catholic ecclesiastical polity which places first obedience to a spiritual authority, and Elizabethan national or regal politics which places first obedience to government national or regal. Efforts were made indeed to prevent a complete breach, mostly by Catholics by way of exhortation. The ritualistic concessions and political temporizing of the Government do not deserve to be called eirenical; for though it is not absurd to exhort a man to abandon his worldly ambitions in obedience to God, it is absurd to offer a sane man anything of this world in exchange for the next. But all peaceful advances failed. Elizabeth made it plainer and plainer that she would have no king but Caesar, and that she would be Caesar. Catholics were imprisoned, fined and exiled. Only by acquiescing in Elizabeth's demand for spiritual as well as temporal authority could a man secure peace. If he showed himself zealous for his own and others' eternal salvation, if he were anxious to spread the glory of Christ's kingdom, he was more and more harried by the Government with each passing year. Act followed Act, each adding to the process of making illegal a religious system that would not acknowledge the right of the State to control religion.

Catholics meanwhile were not idle. That very great man, Cardinal Allen, founded in 1568 at Douai a seminary to ensure a permanent supply of priests for work in England. It is mainly due to Allen's foresight, energy and personal influence, that Protestantism did not triumph in England so completely as it did in

Scandinavian countries. In 1580, the infant Hercules, the Society of Jesus, began to take an active part in the struggle. Many of these activities were entirely spiritual; but some Catholics also hoped to use effectively political weapons for the spiritual good of their country; and, taking advantage of Elizabeth's illegitimacy, allowed themselves to be drawn into intrigues against her throne. There were, in consequence, grave divisions amongst Catholics. Even more serious a result was that the Government was able, with some truth, to accuse Catholics of political treason. In spite of this, the real question at issue was the constitution of the Church; granted that plots if successful would have cost Elizabeth her throne, it is also true that had purely spiritual work brought all Englishmen back to fervent Catholicism, either her throne or her ambition would have been forfeited. A Catholic country could not for a moment have tolerated Elizabethan Erastianism. Consequently, if the Elizabethan religious settlement be the true religious system, Christianity is treason. If, on the other hand, Christianity is true, then the Elizabethan settlement cannot be accepted. Thus during this period the fundamental divergence of the two systems became more and more apparent. Catholics plotted sometimes and preached consistently; the Government as steadily retorted by adding to the list of illegal acts the various Catholic spiritual activities.

At last, wearied out, the saintly Pope Pius V feeling that he could no longer in conscience plead with anti-Christ, lest the souls of his people should suffer, decided to use the old weapon of the Vicars of Christ, rarely before used with so great justification. Unfortunately he did not realize that the chequered religious history

of the past forty years, and his own long forbearance, had produced in England a state of affairs in which the great Papal weapon of excommunication and deposition could no longer be used with effect upon the Church's enemies, nor with safety for her loyal members. This error of judgment is no reflection on the saint's prudence; he had consulted those who ought to have known, but who were misled by their zeal into an extravagant hopefulness. Nor can the justice of his act be impugned; he had, as every Pope has, a right to use this weapon where circumstances render its use possible and advisable.

As this Bull *Regnans in Excelsis* is often cited as justification for the Act of 1585, we must analyse its contents. It starts with a general declaration of the Pope's aims. As Pope he has been given full power over the Church. Membership of this Church is absolutely necessary for salvation, and the Pope has therefore authority over all peoples and kingdoms to preserve the Christian people, joined by charity in the unity of the Spirit, so that he may hand them over to their Saviour saved. Here we have an exposition of the principles on which Popes claimed and claim power over princes: a Christian prince may be condemned to excommunication, and therefore to deposition, if his rule hinders the salvation of his subjects.

St. Pius, after pointing out why God permits His Church to be troubled, enumerates the various acts whereby Elizabeth is endangering the salvation of her subjects: her encouragement of heretics, her attacks upon the Mass and Catholic ritual, her enforcement of false doctrines and false ritual, her arrogation of supreme authority over the Church, her prohibition of obedience to Rome, her deposition and imprisonment of Catholic

Bishops. As these things were manifest to all, there was no possibility of defence, denial or explanation. Since, in addition, she had neglected repeated warnings, in spite of the services of her ancestors to the Christian Republic, St. Pius, trusting in Christ's authority, declared her and her followers heretics, and cut off from the unity of the Body of Christ. Moreover, she was deprived of all authority, her subjects freed from their obligations, and forbidden under pain of anathema to obey her.

This is certainly thorough, and we can understand the alarm and anger of Elizabeth and her advisers. The majority of Europeans, perhaps even of Englishmen, were still tepidly Christian, *i.e.* Catholic, and not national in their religion. Such a declaration from Christ's Vicar may well have alarmed her. If in our modern minds we are surprised at the Pope's action, and even a little inclined to wonder about it, we must remember that St. Pius had been informed that England was still in reality Catholic at heart, and merely needed leadership. In a community entirely Catholic such a condemnation, though more severe, was like any other. If a man teaches what is dangerous to faith or to morals, in a Catholic community he is not allowed to teach, and none may aid him to do so; in the same way, if a ruler so rules as to threaten the spiritual welfare of his subjects, and if the Pope has effective authority, that ruler, if he will not listen to admonition, cannot be allowed to rule to the danger of so many souls, and none may abet him in ruling.

Here then is a final pronouncement on the Catholic side. St. Pius had indeed made a mistake on a matter of fact in thinking that the majority of Englishmen would still listen to him and set the salvation of their souls

before all things. But he had given expression to fundamental Christian thought, that in a wholly Christian state Christians must not tolerate a ruler whose government is a danger to their salvation. England was no longer such a state, but *a fortiori* in a pagan and anti-Christian polity, Christians must not obey in matters of religion the pagan and anti-Christian commands of their ruler, even though disobedience should lead to death.

✓ But in such a state there are many possibilities. English Catholics were now coping with a situation unknown for centuries, and trying to ascertain to what extent they must risk death, or even civil disability, when living isolated in a nation that has deserted Catholic principles. The practical application of Christ's teaching, 'Render therefore to Cæsar the things that are Cæsar's, and to God the things that are God's,' is no easy matter. Our Lord's answer on the occasion it was given was a brilliant reply that silenced His enemies, but it does not constitute a complete solution for later practical difficulties. The medieval solution depended upon the union of all men in one Church under one Head even on earth; the Church had then been able, if Caesar arrogated to himself what was God's, to deprive him even of his own and give it to another Caesar. When, however, a prince who rejected this union and this Head, ruled over subjects who also rejected them, the solution was no longer so simple. It was true that the Pope could bind Christians under pain of damnation to refuse to co-operate with evil rulers and to face even death itself rather than support them. But could he command more than passive disobedience, could he call upon foreign princes to enforce his commands and order

Catholics to support those princes? On the other hand, in view of the futility of rebellion, of the growing national feeling, in itself, if not exaggerated, a good thing, could Catholics rest content with passive disobedience in spiritual matters, and lend even active support in temporal matters to their wicked and pagan Government at war with Christ?

It is as well to put these antitheses strongly, for only thus can we realize the difficulties of Catholics in reconciling the two loyalties. Centuries before, that profound thinker and charming saint, Anselm of Canterbury, had discussed expressly the two loyalties and had found little difficulty,—if they were incompatible he would follow Christ's Vicar, Peter's successor. But the solution could no longer be so simple. When St. Anselm had said that, he had given, in the circumstances of his own age, a full answer. In the sixteenth century circumstances made this answer by itself far too summary; as we have seen, there were many questions demanding more explicit reply. 4

This was no feudal age of personal loyalty to an overlord, but an age when the vigorous young nationality was making an appeal to all Englishmen. Then resistance had not been futile, a change of ruler could be comparatively easily effected. Now the only hope of Catholic success lay, at least in all probability, in vigorous foreign intervention. Even with this the chances of success were problematic. Some moral questions must be settled, at least in part, pragmatically, and the right to appeal to arms is such a question. No man would be justified in causing death and widespread misery, if he had no chance of success of effecting some good to compensate for the harm of war. He must

indeed be prepared to face martyrdom rather than co-operate with evil, but he must not choose the greater of two evils,—and only reasonable chance of success would make violent resistance the lesser, for without that it is but adding a new evil, making two in place of one. Again, if there be a chance of success by an appeal to force, what means may be used? Open war would perhaps be lawful, but some at least might ask if it would ever be lawful secretly to assassinate? We who come afterwards, and have the benefit of centuries of study and experience, who are not in the heat of conflict, can see the answers more clearly; those who are in the very thick of the struggle may surely be excused if they did not always find the answers as readily and so correctly.

I have put these points strongly because it is well to see the difficulties of the Catholic position. It is then true that there were plots among Catholics, plots caused by the difficulty of the situation produced by the Acts of Elizabeth's Government. But granting the existence of these plots, making all concessions to the Elizabethan Government, it is still true that it was responsible for such a condition of affairs that loyalty to the State was no longer compatible with loyalty to Christ. Even the most spiritual work of priests, since it fostered Catholic life, since it brought people back to Catholic unity, was opposed to the policy of Elizabeth and her advisers. The more widely the faith was strengthened and spread, the more certain would it be that Elizabeth would be rejected by her subjects or have to alter her policy and moderate her claims.

Fundamentally, in spite of their pietistic speech, and their revivalist oratory, in spite of their biblical prolixity,

of their claims to individual communication with the Holy Spirit, nearly all heretics, and certainly the Reformers, are pagan and materialist in their doctrine, however far this may be from their intention. They will not recognize the existence of the mystical body of Christ, and the real bond that joins all Christians to Christ in the Church. They live in the world, and cannot conceive of any other social life and citizenship than those of this world. The Catholic position has been the same from the beginning: the Church is the Kingdom of God, and that is no mere form of words but teaches a truth. Thus Elizabeth and her followers who refused to recognize any other authority even in religion more powerful than that of temporal princes, externally at least, placed themselves outside this kingdom to which, from the days of Christ who claimed to be a king to the days of the Pope who established the feast of the kingship of Christ, the Church has borne witness.

The issue then is clear: if a supposed Christian Queen for whatever purpose place herself at variance with this Kingdom of Christ she forces loyal members of that Kingdom to be hostile to her.

Thus there were easily formed three parties among Catholics. There were the extremists at either wing. On one side those who held to the old medieval outlook and saw in foreign invasion and domestic rebellion a possible and legitimate way of enforcing the decree of deposition, and obviously took this to be desirable. There were against them the other extremists who, akin to the Gallicans, taught that the Pope could command only in the most clearly spiritual matters, but that they were bound to obey the temporal government in all other affairs. Between these two were the vast majority,

bewildered and unable to solve the problem. These were often men of exceptional holiness, were always anxious to keep the struggle on a spiritual basis and tried to combine practical loyalty to both rulers with an abstinence from theoretical discussion. The permission granted by Gregory XIII to Bl. Edmund Campion to ignore in practice the decree of deposition, was of course a concession to this group. Obviously then, Catholics were finding their position one of great difficulty.

But the Elizabethan Government refused to realize this difficulty. They might have tried to make things easier for those already so tormented physically and mentally. Instead, they added to the physical torments and made no effort even to understand the great spiritual and mental struggle necessarily taking place in a Catholic soul at the time. When the seminaries were founded, and when the Jesuits came, even though the first Jesuits arrived with the concession of Gregory XIII, the Elizabethan Government saw in all this a determined attack upon the loyalty of Englishmen. They were certainly and culpably wrong. There was nothing that strengthened more the great bewildered party of Catholics, who felt the difficulties of the position and could not find relief in simplicist solutions, than the coming of numbers of earnest and able men to play a practical part in England itself. Their coming at least meant that the true state of affairs would be more quickly grasped, and this would almost certainly mean that the futility of violence would be the sooner recognized. Though some of the seculars seem to have been extreme nationalists, and some of the Jesuits and the greatest leader of the seculars were extreme medievalists, or

depositionists (to coin a useful if an ugly word), the vast majority of these men were simply anxious to do their spiritual work in peace and leave a solution of the political difficulties to await that union of all Englishmen in the Catholic religion which would automatically solve the problem.

But the Elizabethan Government, given over wholly to Caesar, regarded even this spiritual attempt to bring souls to Christ as treason. The law of the land, however, knew nothing of this new treason. Though, so far, it was a crime to refuse to acknowledge Caesar as the ruler of God's kingdom, it was not treason. The Government was not, however, content to leave as treason the very defensible, yet maintainably treasonable, plots; it was anxious to make treason any one and all of the Catholic interpretations of political duty. It had declared war on revealed doctrine, on supernatural life, organization, society and authority on this earth; this war, it knew, would end in complete defeat if once more all or most Englishmen were to accept that authority. Then without violence, without the disapproval of the country, naturally, inevitably and justly our rulers would have to forego their extreme claims and be content with temporal power or they would lose all to no one's regret. Thus their initial crime forced them on to others. Anything that was of the essence of this supernatural power on earth must be suppressed. Obviously, therefore, the officers of that power must go, and also obviously must go with them any rite that gave life to that power.

Thus, though it is often said that the Act of 1585 caused a change in the persecution, this is not true. The attack on the Priesthood and on the Mass was the logical outcome of the decision to have no king but Caesar. If you reject

Christ, the King, you must reject His officers to whom He gave commission to continue His work in the world. Granted then all that can be said in favour of Elizabeth, the brutality of the times, the plots of many Catholics, the growing nationalism, the hostility of Catholic powers encouraged by the Popes; granted all this, it still remains true that the lust for power which led Elizabeth to demand even spiritual authority had led her and her people outside Christ's kingdom and had forced loyal Christians, against their will, to be disloyal Englishmen, for it had made the purest spiritual loyalty to Christ disloyalty to Elizabeth. The plotters and the intriguers we can pity, while we deplore their mistake; though they too died in a sense for their religion, we do not call them martyrs. But we do not deplore nor pity, we venerate that large army of heroes, who, bewildered by the conflicting claims on their loyalty, often performing miracles of subtlety in attempting to reconcile these claims, yet held fast to the truth uttered by Peter, "To whom should we go, for Thou hast the words of eternal life?" They realized that eternal life comes first, and that Christ alone could lead them thither, and therefore they regretfully disobeyed their Sovereign in this one thing, that despite her prohibition they would have for themselves the Sacraments which give true life, and would, even at the cost of torture, and death, give those same life-giving Sacraments to others. For the Elizabethan reply to the Catholic ultimatum was the Act of 1585, which made the priesthood and its use treason.

First we must examine the argument supposed by the Act that we may understand better its full implications. We can put this argument in syllogistic form:

Many priests are traitors,

All traitors must be condemned,

Therefore all priests must be condemned.

Or we can, to save the logic of the Government, damn their truthfulness:

All priests are traitors,

All traitors must be condemned,

Therefore all priests must be condemned.

The first syllogism would not distort history, but it would be so patently illogical that to save the reputation of the Government we must assume that they worked on the second, and that therefore they did indeed think of the priesthood, as such, as treason. Certainly this act declared it to be. Yet even here the logical form is imperfect; it exemplifies the fallacy of four terms. For to prove the first premiss the word 'traitor' must be given a new meaning, and one it could not bear legitimately in the second premiss. Though Allen, Parsons, Storey, Fenton might be called traitors in the old and true sense by unfair misrepresentation of their principles and acts, no possible misrepresentation, but only downright falsehood, could call traitors in the old and true sense Campion, Mayne and hundreds of others. If they were traitors, it was and could be only because while prepared to obey the Queen in all temporal matters, to support the Government against foreign political assaults, to pray earnestly for the spiritual and temporal welfare of Elizabeth, they imitated their ancestors in giving to God His own. These men cannot be condemned as traitors unless loyalty to fundamental Christianity be treason. That some of their fellow-priests plotted and intrigued does not make these men traitors unless we identify two things, because of one common factor. That indeed is often done, but it is illogical none the less.

The Elizabethan Government, therefore, must be convicted of inventing a new treason, and doing so merely to satisfy personal ambition. Admitting its sincerity as far as is consistent with charity, if not with veracity, we can fairly present their actions as follows:

‘Let us do away with this power that has existed so long in our country, and arrogate to ourselves even spiritual authority, denying that the authority of the Church comes from God, for surely God would place nobody over us.

‘These wicked and foolish Catholics will not believe us when we claim Divine authority in religion. In spite of our assurances, they insist that the authority of the Church comes from God, and cannot therefore be destroyed by an earthly power. Let us then imprison and fine them.

‘But the head of the Catholic Church actually has the audacity to say we are attacking God, and that we have therefore forfeited our right to rule over the sons of God. We must retaliate.

‘Before we can retaliate, the Head of the Catholic Church has himself moderated his condemnation, and permits his subjects to serve us in all temporal affairs, and many of them are doing this loyally, and some are actually wondering whether he could depose us.

‘Still some are being disloyal in temporal affairs. Let us therefore group all these together, those who obey us willingly in all temporal things, those who obey us cautiously, and those who obey us not at all. We can manage to call these last traitors, let us call all who agree in religion with them traitors, and put them all to death.’

This is not unfair, not mere raillery. Let us have a

new *Vera Historia*; let us assume that Elizabeth, Burleigh, Walsingham, Topcliffe (even he), Leicester, Essex and Hatton, were all genuinely convinced religious men of Protestant faith, who truly did believe with Milton, that in some way God had a peculiar affection for His Englishmen, and had always, as Milton monstrously says, spoken first to them (had no doubt placed the Garden of Eden in the valley of the Eden, and taught Adam to talk broad Yorkshire); let us grant that they truly believed all this, and also believed that they, as the chosen of these chosen English, were doubly chosen of God; let us grant that their motives were pure from all taint, even the slightest, of personal ambition; even then it is true that in all sincerity they had followed Mammon, and accepted a belief inconsistent with Christianity as expounded by Christ through His Church, and that on the basis of this mistaken, though sincere and pure, love of the kingdoms of this world and their glory, they now condemned as traitors those who dared to 'do this in commemoration of Him,' as it had been done from the beginning, who dared with the first Christians of Jerusalem to pray unceasingly for Peter.

That this is the implied argument of the Act we can see in the opening passage. The general statement is made that Jesuits and priests ordained beyond the seas according to the rites of the Romish Church, come into the country for seditious purposes, and threaten the safety of the realm. This is a completely general statement put forward as a justification for the completely general attack on the priesthood made by the rest of the Act. But, as we have seen, this statement is only true, if the Christian conception of the Church be regarded as necessarily hostile to the safety of the realm. For it is

obviously absurd to conclude that, since some priests plot, therefore all do. Hence only by assuming that the State must be preferred before the Church can the opening assertion of the Act be justified. It cannot be argued that because the State was threatened by some priests; in self-defence, owing to the impossibility of distinguishing which priests are traitors, the State may exclude all. That is to assume again that the temporal welfare of the State is of more worth than the spiritual welfare of souls,—an assumption diametrically opposed to Christian teaching from the beginning. Thus the very first sentence of the Act discloses the false position of the Elizabethan Government; by its own words it stands convicted of having so far deserted Christianity, as to have made Christianity as such its inevitable enemy.

The Act continues with the governmental retort to this seditious practice, the administration of the Sacraments. Priests are to leave England within forty days from the end of the session of Parliament, or as soon as weather and passage conditions permit. If any native Englishman, ordained priest by Roman authority, come into England or remain there he thereby commits high treason. The only exceptions are those mentioned specifically in the Act.

Since priesthood as such is treason, anyone who shall knowingly help a priest, 'receive, relieve, comfort, aid or maintain,' is guilty of felony. Thus merely to entertain a priest could, by the terms of this act, be punished by death.

Every student in a foreign college was to return within six months, and within two days of his return was to take the oath acknowledging the Queen as the head

of the Church, or be guilty of high treason. Here again we see how this new legislation is the outcome of the old, designed to enforce the Erastian, materialistic conception of religion, so utterly at variance with the teaching of Christ.

Those who refuse to return and take the oath are almost on the same plane as priests. Therefore, anyone helping them in any way offends against the legislation of *Praemunire*. This decree is made as wide as possible. The slightest help or encouragement given to a student educated for the priesthood comes under this clause. No child may be sent out of the country without governmental licence, at least during Elizabeth's lifetime. In its fury against true religion the Government is betrayed into legislation considerably more oppressive than is warranted by any conditions save those of war. One exception is indeed made. Merchants may send people abroad for the purposes of trade. But you cannot serve two masters, and therefore when renouncing God you must placate Mammon. Any offence against this decree is punishable by a fine of one hundred pounds.

The next clause merely established the legal machinery for the enforcement of the Act. Presumably for the same purpose it is also enacted that shipmasters may lawfully transport priests who are leaving the country, only, provided such priests give full information concerning themselves to the chief officer of the port of embarkation.

Then comes the one great exception to the Act, an exception that shows finally how close is the connection between this attack on the priesthood and the Elizabethan rejection of the idea of a Church. Any priest, who within forty days of the end of the session, or within

three days of coming into the country, submits before the competent, authority to taking the oath and who further promises in writing to obey all laws, statutes, and ordinances, even those to be made in the future, is free from the penalties imposed by the Act, provided of course he observes his promise. There is much here to be noted. The Act asserting Elizabeth to be head of the Church is of course anti-Christian, and no Christian could take the prescribed oath conscientiously. We insist upon this, for it must be made clear that the question at issue was the constitution of the Church, and that Elizabeth was the innovator and aggressor. Yet it is often assumed that Elizabeth was unwarrantably attacked by St. Pius V, and that this Act of 1585 is the first real persecuting act. We should, therefore, notice that this Act is only persecuting in virtue of the Act of Supremacy. If a priest could have taken the oath in conscience, he would have been as safe in England as on the Continent. The real offence was the refusal to acknowledge Elizabeth as head of the Church. This Act is not merely a retort to the Bull, it is the logical sequel to the opening acts of the reign. The Elizabethan Settlement is a uniform system, little affected by the Bull, which merely provided an additional incentive. Without the earlier Acts, and unless those Acts had themselves been inconsistent with Christian teaching, this Act of 1585 is as innocuous to a Catholic priest as the passport legislation of to-day.

A further point makes this even clearer. As a corollary to taking the oath a priest must be prepared to give his soul into the keeping of the Government. He had to undertake to obey any edicts on religion that might in future be proclaimed. This is Erastianism

naked and unashamed. Were the English Sovereign to turn Mohammedan, priests who had made this promise would by its terms have to do the same; whatever religious whims possessed the ruler of England could by royal edict be imposed on the country. When we consider the variations of Protestantism, and the modern developments of agnosticism, and the various fantastic religions of recent years, we can see how far-reaching such a promise might be. There is no reservation made, no protection given even to the pseudo-Christianity of Anglicanism. Yet this universal spiritual authority enjoyed by the head of the English state, at least theoretically, is the natural corollary, not of this Act, but of the Act of Supremacy. Clearly, no Christian could accept such terms, and it is precisely in this fact that is to be found the deadliness of this Act.

Again, we must notice how savagely thorough the legislation is. Though in practice a priest was able to purchase his life by apostacy at any time, in law he could be put to death, even though he apostatized, unless he did so voluntarily within three days of his arrival in the country. No proof of plotting is needed; if he had been in the country a week and was then arrested, by the law, not even the excessive loyalty of apostacy could save him. He was a traitor and could be put to death.

Thus, in spite of the plots of Catholics, and of the doubtless genuine alarm of the Government, the reason for the attack on the priesthood is manifestly not fear, but a desire to enforce Elizabeth's absolute power, even in things spiritual, and to stop those activities, even spiritual, which threatened that power. What the Act does is not to punish the priesthood, but to punish for

refusal to acknowledge Elizabeth as the guardian of one's soul and the arbiter of eternal salvation.

The rest of the Act is comparatively unimportant. Certain details are settled: Peers are to be tried by Peers; infirm priests are allowed to remain for six months under due supervision and under bail to the extent of one hundred pounds; failure to inform against a priest is punishable by fine and imprisonment at the Queen's pleasure, and so on. Only one regulation is peculiarly worthy of mention, as showing that fear did play its part, and to be thorough we must mention it. Any priest submitting to the oath must not for ten years go within ten miles of the Queen's person without licence, under pain of making void his submission.

This then is the Act under which the majority of our martyrs suffered. As we have seen, its effect was that however loosely a sincere Catholic might interpret his obligation to disobey the Government, he could not henceforth avoid the charge of treason unless he definitely renounced his religion. No temporal loyalty, not even the highest loyalty of risking his life in war, could save him unless he renounced altogether the practice of his faith. It exposed priests, and indeed all Catholics, not only to bodily torment and to death, but to the possibly greater anguish of spiritual conflict. However much they might wish to be loyal Englishmen, to take advantage of Papal concessions with regard to temporal service, and to live in peace as loyal religious non-conformists, they were forced by this Act to choose between God and Caesar. They were compelled henceforth to settle practically one of the most difficult of problems, the relations between Church and State, and forced to solve this problem to the danger either of life

or of salvation. For the Government was not content with loyalty; it demanded voluntary and complete acceptance of something more than heresy, of a return to the old pagan concept of religion as a merely State function.

Even those Catholics who died for their plots, as we have seen, died in a manner for their religion; for had the Government not aggressively attacked that religion, they would never have plotted. But they are not martyrs. It is, however, certain that those who died under the terms of this Act alone were dying in witness to their belief in supernatural authority, in protest against anti-Christ, against those who had joined the Jewish priests in their cry, 'We will have no king but Caesar.' They died for Christ the King, put to death by those who resented that Christian rule. They died then as Christian martyrs, as truly as did the apostles and the early martyrs, who died because they would not worship Caesar.

X

FRANCISCAN MARTYRS IN ENGLAND

BY FATHER CUTHBERT, O.S.F.C.

THE Franciscan order had been established in England for more than three centuries when Henry VIII decreed the suppression of the friaries. At the time of the suppression, and for about half a century preceding it, the English province was divided into two jurisdictions—the conventual and the observant. The conventuals had come down direct from the primitive province established in 1224 by Blessed Agnellus of Pisa. The observants had been introduced into England by Edward IV in 1482; in 1499 the observants in England were incorporated as a province of the ultramontane family of observant friars. At this time there were four observant houses in England: Greenwich, which was a royal foundation, Canterbury, Newcastle and Southampton, which had been ceded to the observants by the conventuals under pressure from the king. By the time of the suppression the observants had obtained two more houses at Richmond in Surrey (also a royal foundation), and Newark. Thus, when the suppression came, there were six houses of observants, whilst the conventual houses numbered fifty-one.

It is strange that in England, the observants met with little encouragement from the people at large. Most of them seem to have been foreigners, and there is no record of a conventual friar becoming an observant.

The ancient Franciscan province seems to have been untouched by the reform movements which took place amongst the Franciscans on the continent. Why that was so is an interesting problem for the student of history. Possibly it was due to the English temperament and to the strong nationalist feeling of the English people. For one thing, the English Franciscans at no time departed from the rule of poverty to the same extent as was the case with the conventual friars on the continent, and so reform would not appear so needful. Again, whilst in England the Franciscans seem to have been great workers in the sacred ministry, they did not develop the mystical tendency and enthusiasm which was frequently found amongst the friars in other countries. Whatever the reason was, there was amongst the original stock of the English Franciscans no enkindling of enthusiasm for a reformed observance such as was manifested in other provinces once the observant reform became known. Nor, as we have said, did the English people at large show any marked favour to the observant friars, such as was shown by the people in other countries. It is a fact deserving of attention in estimating the causes of the English schism.

For when the schism came, the whole body of the Franciscan conventuals—the ancient English Franciscan stock—like most other orders, tamely surrendered to the king and accepted, actively or passively, the king's supremacy in matters spiritual. On the other hand the observant friars as a body stood out against the king and refused to acknowledge the supremacy. As has been remarked, many of the observants in England, down to the schism, were foreigners, yet amongst them were a number of Englishmen who by their

heroic fidelity to the Faith and the Roman See, redeemed the Franciscan name in that time of sad upheaval. And they redeemed it nobly; for the observant friars of Greenwich, protected though they had been by royal favour, were amongst the first publicly to protest against the king's infamy. In 1534, in the church of the Greenwich friary, where Elizabeth was baptized, friars Peto and Elstow publicly preached against the king's divorce. They were brought before the Privy Council and reprimanded. When told that they deserved to be put into a sack and drowned in the Thames, Peto replied that 'the road to heaven lies as near by water as by land.' On April 20th, 1534, friar Hugh Rich, guardian of Richmond and friar Richard Risby were put to death for their support of Elizabeth Barton, 'the nun of Kent'—more correctly for their opposition to the king's divorce. Three years later, in 1537, the Venerable Thomas Cort (or Covert) and the Venerable Thomas Belchiam were starved to death for denying the king's supremacy in matters spiritual. The following year, Blessed John Forest was 'burnt to death' at Smithfield. A similar death crowned the Venerable Anthony Brorby (Brookby), who had at one time been a fellow of Magdalen College, Oxford; though later writers have said he was starved to death. In 1539, the Venerable John Waire (or Maire) was executed at St. Thomas' Waterings. Besides these, thirty-two observants are said to have died in prison in 1538; whilst four others died from the hardships of their imprisonment, shortly after their release from gaol. Of the remaining observants most fled to Belgium; a few to Ireland. In this way did the first province of observant Franciscans in England come to a worthy

end; adding a new glory to the Franciscan order. But the story of these first English Franciscan martyrs is well-known, and need not be dwelt upon here.¹ In Mary's reign an attempt was made to restore the province. In 1555 the friary at Greenwich was reopened and some of the surviving friars who had fled the country under Henry VIII returned and were joined by a few novices. But again in 1559 the friary was suppressed by Elizabeth and the community disbanded, and they went back to Belgium which was then the refuge of so many English Catholics; and there for the next half century they kept alive the name of the English province in the hopes of one day re-establishing it on its native soil.

Of the English novices received there, a few found their way back to England as missionaries. One of these, Father Thomas Ackrick, died a prisoner in Hull Castle in 1583; another, Father Laurence Collier, died in prison, probably at Stafford, in 1590; and a third, the Venerable John Buckley (alias Jones), was martyred at St. Thomas' Waterings, in 1598. About this time another of the old observant stock, Father William Staney (or Stanny) was imprisoned for a while in the Marshalsea. He was, however, released and lived to play a part in the story of the restoration of the English Franciscan province. In the meanwhile, before the formal restoration took place, several Franciscans of the Capuchin reform found their way to England as individual missionaries. The first of these were Benedict Fitch of Canfield, and a Scottish friar, Father Chrysostom, both from the Capuchin province of Paris. They came in

¹ Father Thaddeus, *The Franciscans in England*, p. 17, mentions another martyr, Anthony Browne, as having been burnt at Norwich in 1538; but the evidence for this seems doubtful.

1599, but hardly had they landed when they were arrested and cast into prison. At the petition of the King of France, Father Chrysostom was in a short while released and expelled the kingdom; but Elizabeth refused to release Benedict Canfield on the ground that he was a native of the kingdom, and he was sent to Wisbech gaol; but after two years, at the reiterated request of the French king, he too was released and sent back to France, where he played a notable part in the revival of religion in that country. But a few years later, just at the moment when England seemed to be lost to the Franciscan order, a double movement occurred almost simultaneously which was to give England an effective place in the Franciscan hierarchy as a missionary province: it was the formal establishment of the Recollet Franciscan province of England and of the Capuchin Franciscan province of Ireland, which included England and Scotland.

The Anglo-Irish province of the Capuchins was formally instituted by Paul V in 1608; the English province of the Recollets in 1618. In each case the revival was due to the personal initiative of a remarkable man—that of the Capuchins to Father Francis Nugent; that of the Recollets to Father John Gennings. In each case, too, there was, we as shall see, a direct historical link with the Pre-Reformation provinces, apart from the common profession of the Franciscan rule. Though neither of these founder-friars attained to the glory of martyrdom, yet theirs is the glory of being the spiritual fathers of a long line of martyrs and confessors in the time that followed.

Father Francis Nugent was the son of Sir Thomas Nugent, of Moyrath, in county Meath. He had graduated

in the universities of Paris and Louvain before he took the habit of a Capuchin in Brussels in 1591. From the moment he became a friar his ambition was to establish a Capuchin missionary province in England and Ireland: in fact, before taking the habit, he had set apart a valuable library he had collected, for the use of the province which was to be. His remarkable abilities as a scholar and administrator quickly raised him to important offices in the order, and thus he was given the opportunity of pressing home the purpose he had in mind. When, in 1608, he went to Rome to take part in a general chapter of the order, he laid his scheme before Pope Paul V, with the result that the Pope in a brief dated May 29th, 1608, authorised the Capuchins to establish a missionary province for England, Ireland and Scotland, and at the same time gave the Capuchin missionaries all the faculties enjoyed by the other religious orders and the secular clergy then working on the English mission. In consequence of this brief, the general chapter appointed Father Francis Nugent, commissary of the new province, with power to assemble Capuchins of English, Irish and Scottish nationality, who were willing to work on the mission and to form them into communities. The first Capuchin house of the Anglo-Irish province was at Douai—that nursery of missionaries; later a house was founded at Charleville. There is no record (as far as I know) of the date of the actual arrival in England of the Capuchin missionaries from their base in Flanders. But in 1617, Lord Montague of Cowdray in Sussex, wrote to the Capuchin Father Archangel of Pembroke in Paris, urging that more Capuchins should be sent on the English mission, alleging as his reason the good work already done by

those who were already in England. Amongst these were three Englishmen, Fathers Anselm, Angelus and Richard, who were working in the neighbourhood of London. The coming of the Capuchins to London was evidently no secret, and seems to have created some apprehension if one may judge from a sheet of verses published about this time, a copy of which is in the British Museum. It is entitled: 'A newe secte of Friars called Capichine,' and begins:

These newe freshe come friars being sprong up of late,
doe nowe within andwarpe keep their abidinge:
Seducinge muche people to their damned estate,
by their new false founde doctrine the Gospel deridinge.
The verses conclude:
But let Sathan worke all that he can devise,
God it is alone which the Gospel doeth protect.¹

In a short while Capuchin missionaries were at work, not only in the London district, but in Hampshire, Dorsetshire, Yorkshire and the Isle of Man. In 1618, a Scottish laird, 'Lord' Maitland (as he is described in the manuscripts), requested that Capuchins should be sent to the Lowlands, and the same year a number of Highland chieftains deputed MacDonald, chief of the Clan Ranald, to go to Rome to request the Holy See to send Capuchins to the Highlands; and two years later we find Capuchin missionaries in Scotland. The story of these missionaries is much the same as the story of the general missionary army in England during the penal days—the story of work accomplished in secret or in disguise; of frequent hidings to escape spies, of imprisonments and even death for the sake of the Faith. But

¹ In the British Museum catalogue the date of this broadsheet is given as 'about 1580'; but the Capuchins from Flanders certainly did not arrive before 1610.

no Capuchin died on the gallows, though several died in gaol in consequence of the hardships of their imprisonment or on the way to slavery in the Barbadoes. A reason why no Capuchin was allowed to die on the gallows was probably due to the presence of a large community of French Capuchins at Somerset House as official chaplains—protected by treaty with France—to the French queen of Charles I. The public execution of a Capuchin might have created difficulties for the Court: and in fact there is evidence of the anxiety felt on that score in the royal household. So we find that the Capuchins arrested in the reigns of Charles I and Charles II were released at the petition of the French ambassador and expelled the kingdom, though usually they returned to England at the first opportunity. They were less tenderly treated after the constitutional revolution of 1688. The reports sent to Rome by the provincial custos of the English Capuchin mission after this date mention several who were in prison. Of these I would call attention to the servant of God, John Baptist Dowdal, who died in prison in London in 1710, and whose name is on the list of the Irish martyrs, the cause of whose beatification is at this moment being promoted in Rome; though considering that he worked for many years on the London mission before his death, we may well list his name amongst the English Franciscan martyrs.

Father John Baptist Dowdal was an Irishman from the county Louth. He entered the Capuchin order in 1651 at Charleville in Flanders, which was then the novitiate-house of the Anglo-Irish province. After his ordination to the priesthood he worked for a time in Ireland, 'hiding in caves and out-of-the-way' places.

Then he was transferred to the English mission, and for nearly forty years worked in and around London. In 1709 he was arrested, together with his confrère, Father Christopher Plunkett, and sentenced to be deported to the Barbadoes. Father John Baptist was then in his eighty-fourth year. But whilst the two friars were awaiting deportation, Father John Baptist died, as a result of the conditions of his imprisonment.

An entry in the Capuchin archives in Rome says of him:

The Venerable Father John Baptist Dowdal, an Ulster man, was born of noble and wealthy parents, but renouncing his rich inheritance, he became poor for Christ. He was meek and humble, a man given much to meditating upon the eternal things. Being well fitted by learning and piety for the mission, he spent many years upon the mission, years fruitful in the salvation of souls. He led many from error into the path of truth and brought back many who had lapsed from the Catholic faith. He was often arrested by the heretics and cast into fetid prisons where he bore grievous torments for Christ's sake. At length, after many and great labours, he ended his life in a close and loathsome dungeon in London in the month of February, 1710, at the age of 84 years, 62 of which were spent in religion.

According to one contemporary writer it was in the Tower that he ended his days.

As has been said, the Capuchin missionaries owed their comparative immunity to the presence of their French brethren at the Court. I trust my brethren of the former Recollet congregation of the Franciscan order will not misunderstand me when I congratulate them upon having had no Court chaplains and no foreign influence to stand between them and the gallows.

The Recollet Franciscans of the second observant

province have a record in the Catholic history of England worthy of the first observant province. Seven of their number are amongst the martyrs declared 'Venerable' by the Church; but there were others who died in prison and who too may yet attain to the honours of the altar.

The story of the founding of the second observant or Recollet province is one of the romances of the penal days. It may be said to have sprung from the sufferings and death of a martyr who was not himself a Franciscan, the Venerable Edmund Gennings. This holy martyr, after his conversion to the faith, was ordained priest at Soissons in 1590, and then returned to England as a missionary. On his return he found that all his family were dead except his brother John, and with a great yearning for his conversion, Edmund Gennings went to London to search for him. The two brothers met by accident one day in the street. To John Gennings the meeting was not one of joy. The presence of his papist brother in the country meant possible trouble to himself. He had no intention of becoming a Catholic himself; but the arrest of his brother Edmund, should he be discovered, might interfere with his own ambitions. But chiefly it would seem this meeting aroused in John Gennings the fear that his priest-brother would attempt to convert him, and in his fear John Gennings hardened his heart against any such attempt.

Not very long afterwards, Edmund Gennings was arrested and suffered death for the faith on December 10th, 1591. At first, John Gennings, as he himself tells us, rather rejoiced at, than bewailed, his brother's death, for he had gone in fear lest his brother should persuade him too to become a Catholic. But about

ten days after his brother's execution, John Gennings one night retired to his room after a day spent in sport, when suddenly the thought of his brother's martyrdom came before him and he began to compare his own life of pleasure with his brother's willing self-sacrifice. Before the next dawn broke he made a vow to leave kindred and country and seek a knowledge of the faith for which his brother had died: and shortly afterwards he took the common road to the Low Countries and there became a Catholic. He entered Douai College, was ordained priest in 1607, and was sent on the English mission in 1608. He had been working on the mission several years when he met one of the last of the English observants who still kept alive the name of the former English province, Father William Stanny, and conceived an ardent desire to become a Franciscan and re-establish an English Franciscan province. Father William Stanny having faculties to receive novices, gave the Franciscan habit to John Gennings, and, with prophetic insight, made over to him the seal of the first observant province. Thus was a link established between the first English province of observant Franciscans and the Recollet province of which, in God's design, John Gennings was to be the founder. Similarly a link was established between the Capuchin mission and the pre-Reformation conventual province, when in 1625 the general of the conventuals made over to the Capuchins the conventual claims to their old residences and the ancient fraternities of the Cord of St. Francis.

Having received the habit, John Gennings went to make his novitiate in the friary of Ypres in Belgium, and was there joined by other English novices. A number of Douai students now joined the order and

received the habit in the friary of Gravelines. In 1618, John Gennings was commissioned by the Minister General to found an English friary at Douai with a view to the establishment of a province of England. The province was formally established in 1625. At this time the Recollet reform of the observants had made great headway in France and the Low Countries. It was a reform in some ways similar to that of the Capuchins; and in fact the French Recollets for a time adopted the Capuchin habit. But, unlike the Capuchins, the Recollets, though largely autonomous, and governed immediately by superiors of their own choice, yet remained under the supreme jurisdiction of the observant Minister General. How it came about that the new body of English observants formed by John Gennings, eventually joined the Recollet Reform is not very clear. At first they styled themselves simply observants—*fratres minores de Regulari Observantia*—but it would seem that very shortly after the Douai house was established they were known as the English Recollets. Of the first band of Recollets, who responded to the call of Father John Gennings to re-establish an English province, four died by the gallows and another died in prison. They were the four 'Venerables' Thomas Bullaker, Henry Heath, Arthur Bell and John Woodcock, and Father Walter Colman.

In reading the lives of our English martyrs I have often been struck by their great simplicity of character. This simplicity of character is perhaps an essential quality of all martyrs; but in our English martyrs, and particularly in our martyred priests, it seems to shine forth with a peculiarly clear light. The martyr's glory would seem to be almost a vocation, so frequently do those

who attain to the martyr's crown look forward to it with humble prayer and longing desire as the satisfying end of their earthly career. To them, life's fulfilment is this supreme witness to their faith in Christ their Lord and His Gospel Truth. Just to bear witness to the truth and sovereignty of Christ, even unto death, is their one desire. And it will be manifest to anyone who reads the record of their passion and death, and of their labours leading up to their death, how utterly devoid of any more worldly considerations their desire is. The martyr-missionary, who landing in England is at once arrested and put on trial for his life, feels no disappointment because he is unable to carry out the ordinary missionary purpose, as most people would consider it; rather he thanks God for thus giving him so swiftly the opportunity of bearing the supreme witness to his faith. Undoubtedly, as a missionary, he yearns to save the souls of his fellow-men, and is willing to labour to that end; but his chief and dominant purpose and desire is to bear personal witness to the faith that is in him; and if he may give the supreme witness, then is his desire satisfied. It is men of this sort whose blood has ever been the seed of the Church.

So when the Venerable Henry Heath—in religion Father Paul—was seized on his arrival in London, and was straightway cast into Newgate and condemned to death, with all sincerity he could say to his judges: 'My lords' I give you thanks for the singular honor you have done me, for now I shall die for Christ'; and so great was his joy as he awaited execution that he declared he never could have imagined that one could experience such great delight as he now felt. He suffered at Tyburn on April 17th, 1643.

Seven months earlier, on October, 12, 1642, the Venerable Thomas Bullaker—in religion, Father John Baptist—had been hanged on the same spot. He had come on the English mission in 1630, and on landing at Plymouth had been straightway arrested; but after a while had been set free. During the twelve years of missionary labour that followed he prayed continually for a martyr's death. When at length he was again taken and this time condemned to death, so great was his joy that he lifted up hands and eyes towards heaven, and before his judges sang the *Te Deum*. Whilst he lay in gaol awaiting his execution he was visited by his fellow-friar, Father Arthur Bell, who complained that he the elder friar was denied the joy granted to his junior. Thomas Bullaker replied gaily: 'I shall go first, but you will soon follow.'

The Venerable Arthur Bell—in religion, Father Francis—was in fact arrested at Stevenage in Hertfordshire, on November 7th, 1643. The day after his arrest he received a letter of obedience from his Provincial appointing him guardian of the friary at Douai, where Henry Heath had formerly been guardian. Arthur Bell's brief acknowledgment of this letter is eloquent of his heroism. He wrote to the Provincial: 'Twenty hours before your letter reached me I had taken Father Heath's place in Newgate. It only remains for me to ask your prayers that I may preserve to the end; and I beg of all Christians with St. Andrew, not to hinder my passion.' When the death sentence was passed upon him, he too, like Father Bullaker, cordially thanked his judges and intoned the *Te Deum*. He suffered at Tyburn on December 11th.

Almost at the same time that Father Bell suffered

death, the Venerable John Woodcock—in religion, Father Martin—landed at Newcastle-on-Tyne, and shortly afterwards was arrested and cast into gaol at Lancaster. There he was left for over two years. He was tried and condemned on August 6th, 1646, and executed on the following day.

In the previous year Father Walter Colman—in religion, Father Christopher—had died in Newgate gaol. In 1641 he had been condemned to death, but had been reprieved: he was left to languish in prison. The hardships of his prison-life undoubtedly caused his death: it was a veritable, but long drawn-out martyrdom.

Others there were of the first English Recollets who suffered temporary imprisonment; amongst them Father Bonaventure Jackson, who was in prison in 1633, he was one of John Gennings' first followers.

A second group of Recollet Franciscans suffered during the panic created by the alleged Titus Oates' plot. They include the Venerable John Wall and the Venerable Francis Levison, with whom must be associated the Irish observant Franciscan, the Venerable Charles Mahoney.

The Venerable John Wall had laboured for some time in Worcestershire when he was apprehended in December, 1678, and on his refusal to take the oath of the king's supremacy in matters spiritual was committed to Worcester gaol, and on April 25th, 1679, sentenced to death in the usual form. At the time there must have been in England a number of sane men who disbelieved in the alleged plot, though to have acknowledged their disbelief would, in the state of popular feeling, have exposed them to the charge of Popery. Possibly, John Wall's judge was of this number, for, after pronouncing

the sentence, he declared that he had no intention of its being carried out, at least not until the prisoner was heard by the king. Father Wall was accordingly sent to London for further examination; but the appeal was in vain. He was returned to Worcester and executed at Red Hill, outside the city, on August 22nd, 1679. They permitted his body to be buried in St. Oswald's churchyard; and for many years, it is said, his grave remained green when the rest of the churchyard was bare.

Ten days before Father Wall suffered, the Venerable Charles Mahony was hanged at Ruthin in North Wales, having been found guilty of the heinous crime of taking orders in the Church of Rome, and being found in the kingdom. The boat in which he was returning to Ireland from the continent had been driven by stress of bad weather upon the coast of North Wales. Thus a happy accident gained him the martyr's crown. When he heard his sentence he exclaimed: 'God's Holy Name be praised, since now I shall die for my religion.'

The Venerable Francis Levison, who died on February 11th, 1680, was one of those martyrs who died less spectacularly, but none the less truly a martyr's death. He had been in prison fourteen months awaiting trial; but the trial could not come off for lack of witnesses, notwithstanding the efforts made to obtain witnesses by bribery. He died of the hardships of his imprisonment.

After the reign of Charles II the blood-lust of the nation in matters of religion abated. Men were no longer hanged, drawn and quartered for the Catholic Faith, but they were left to rot in prisons, hideous in their foetid squalor, or sent into slavery in the Barbadoes, and I do not know which was the crueller martyrdom—

that of the martyr who died a slow death at the stake; or that of the martyr who died a slow death in the foetid gaol or in slavery. I do not know of any Recollet Franciscan being sent to the Barbadoes; but amongst a number who were imprisoned after the constitutional revolution of 1688, two were left to die in prison. One of these was Father Paul Atkinson, who died in Hurst prison in 1729, after a captivity of thirty-one years. He had formerly been a professor of theology and then provincial definitor. When he was summoned to the Provincial Chapter, held in London in 1698, he neither appeared in person nor sent any excuse: afterwards it was discovered that he had been arrested and was in close confinement. Efforts were repeatedly made to obtain his release, but without avail.

The last English Franciscan to die in prison for the faith was Father Germanus Holmes. He was seized in 1746, when the Stuart rising had revived the hatred of Catholicism, and, loaded with iron chains, was cast into prison in Lancaster castle. There, after four months of misery, he contracted a fever through the filthiness of the place. According to the necrology of the order, there was a suspicion that he was deliberately poisoned by the woman who brought him his food.

Thus for more than two centuries—from 1534 when friars Hugh Rich and Richard Risby were done to death until 1746—did the Franciscan order give its sons to death in England for the faith of our fathers. But whilst we record with a wholesome pride the names of our martyrs, let us remember, even with an equal pride, the multitude of confessors, who though not crowned with martyrdom, yet laboured in the martyrs' spirit for Christ and His Church. The martyrs were but the plucked

flowers in that garden of Christ's passion, the England of the penal days.

Take for instance the long life of missionary privation and indomitable courage of the Capuchin friar Father Epiphanius Lindsay. He did not suffer on the gallows, nor was he ever imprisoned, yet what a life of suffering for Christ! He was one of the Capuchins of the English mission who were sent to Scotland in 1620. He had been a secular missionary priest before he joined the Capuchins, and was no longer a young man in 1620. He seems to have been a man of extraordinary piety: he fasted continually, taking but one meal a day, and that in the evening. For about forty years he laboured in the Scottish Highlands: he went from place to place, dressed as a shepherd, and would attend the meetings of the people in the guise of a Highland piper. Here is an extract from a letter he wrote to the Superior of the Capuchins in London about 1650. The letter recounts a series of atrocities suffered by the Catholics in the Highlands, but I extract only what relates to Father Epiphanius Lindsay himself:

I came into this kingdom of Scotland in the year 1620, at which time there were only three priests in the whole kingdom as far as I know. First I went to the northern coast; then to the West where I laboured many years; and then to the south. About 1630 there arose a great persecution against the Catholics.

(Here follows a recital of the harrowing of the Catholics.)
He continues:

For many years I lived entirely alone. My intercourse has been mostly with poor Catholics and such as are least known and suspected. I go to them at night, and take my rest in houses remote from others. Thrice was I betrayed, but never taken. The first who betrayed me sold me to the

Earl of Dunbar for a suit of clothes and one hundred Scots marks; but having timely warning from a Catholic I evaded the snare. The second sold me to Thomas Ramsey, a minister, for one hundred Scots marks. I had given notice to the Catholics to meet at the house of the Earl of Dumfries at one o'clock and the minister was apprised of the hour. I therefore anticipated the hour; and on returning home, I immediately went out again as I verily think by the inspiration of the Holy Ghost. The minister with others came to the house and not finding me, sent some people to search a neighbouring mill, where he had heard I sometimes concealed myself, and where in fact I then was, but hidden amid the bracken. The third sold me to my relations, but being forewarned I evaded the danger.

It is from such matter-of-fact letters that one learns what sort of men they were who kept the faith alive in spite of the bitterest persecution, and I will dare to add, who (after God's grace) made our martyrs possible. It was these confessors for the faith who created the spirit out of which blossomed the flowers of the martyrs: and I can imagine the gratitude with which the martyrs, entering into their glory, looked back upon that heroic cohort who were trudging along the highways and byways of the kingdom in all manner of disguises, or hiding in mansions or hovels, all carrying their life in their hands and carrying it cheerfully, with no sense of herosim, but only as fulfilling their vow of loyalty to Christ; and others too, who had not even the excitements of the missionary life to urge them on, those others who in exile and homesickness were fulfilling the more prosaic duties of keeping the seminary fires burning. It was these who at home or abroad were by word or example creating, in co-operation with God's grace, the stuff out of which the martyrs were formed. And I can never think of a martyr but my mind takes in those 'ordinary folk'

—heroes too—from whom the martyr drew his inspiration.

We are not all called to be martyrs: but we can all help to form the garden in which the martyrs flower. Even on earth there is a communion of saints—happily for most of us.

May I conclude this paper with the aspiration found in a report sent to Rome in 1701 by the custos of the Capuchin Mission: *Anglia cara Deo, felix et sancta fuisti; sis modo qualis eras, sic pia vota petunt.* 'O England, dear to God, once thou wert happy and holy: that thou mayest be again as thou wert; such is the burden of our prayers.' To which I would add the prayer of the Venerable Henry Heath as he stood beneath the gallows: 'Jesus, convert England! Jesus, have mercy on this country!'

XI

‘THE MARTYRS OF THE SECULAR CLERGY’

A.D. 1535—1681

BY THE REV. R. W. MEAGHER, D.D., Ph.D., M.A.
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OF those Catholics who suffered death for the faith in this country during the religious persecutions three hundred and sixteen have been declared Blessed or Venerable by the Holy See. Two hundred and twenty-two of these martyrs were priests, of whom by far the larger part belonged to the Secular clergy of England, and forms the subject of this paper. One hundred and forty-eight Secular priests gained the crown of martyrdom by a violent death, often after long and indescribable agonies of pain. I will divide them on historical grounds into three classes, viz.: the martyrs under Henry VIII, who number only eight; the Marian priests who number only three; and, lastly, the Seminary priests, who form the main body of the Secular martyrs, and who number one hundred and thirty-seven all told.

I

The numerical discrepancy that exists between the few who suffered under Henry and the many who died under Elizabeth, James I, Charles I, the Commonwealth

and Charles II has a melancholy significance. The question has often been asked why so few of the Secular clergy in the reign of Henry were ready to give an account of their faith by signing it with their blood, and requires too long an answer to be considered here. I may hint at a partial solution by remarking that the number of Bishops who fell at this terrible crisis excuses in a certain fashion the lapse of the lesser clergy. If the Pastors, with one glorious exception, shrank from the combat like the personage, recognised by Dante and by no one since,

Che fece per viltate il gran rifiuto,

small marvel is it that the sheep followed their lead. Nevertheless, some of the Secular clergy did prefer death to the royal supremacy, and Fisher's example to that of Stephen Gardiner. Of these B. John Haile, Vicar of Isleworth, was the first to suffer. He died in the company of three Carthusians and one Brigittine at Tyburn on May 4th, 1535. An old man at the time of his martyrdom, he had voiced his criticism of Henry's immoral conduct, and thus fell a victim to Tudor wrath. They did not condemn him for denying the supremacy, but for having spoken with intent 'to prejudice and scandalize the lawful marriage between the King and the Lady Anne his lawful wife.' At first he pleaded 'Not guilty,' but later withdrew his defence, though, as far as can be ascertained, he never retracted his opinion as to the invalidity of Henry's union with Anne. He died a noble martyr for Catholic morality.

On July 30th, 1540, there were butchered at Smithfield, Thomas Abel, Edward Powell and Richard Fetherston, all learned men and doctors of divinity, who had actively

assisted Queen Katherine in the matter of the royal divorce. As might have been expected, they were marked down by the King, especially as by word of mouth or by writing they had declared themselves wholeheartedly in favour of the first marriage. These three men are particularly worthy of mention, because their courage and their devotion to the faith and morals of the old religion are remarkable in an age when expediency and the dread of Henry sealed men's mouths or dried up the ink on their quills. The only other martyr of this period that I have time to discuss is the parish-priest of Chelsea, B. John Larke. We know little about him, though much may be conjectured, for he was a personal friend of B. Thomas More, who had secured for him the living of Chelsea, a fact which speaks volumes. Indeed, Cresacre More in his *Life of More* says of this martyr: 'Yea, his death (i.e. More's), so wrought in the minde of Doctour Learke his owne Parish-priest, that he following the example of his owne sheepe, afterwards suffered a most famous Martydome for the same cause of Supremacie.'" However, it was not until nine years after More's glorious confession that Larke followed him to heaven. He suffered at Tyburn on March 7th, 1544.

II

One of the four Marian priests and martyrs, B. Thomas Woodhouse, became a Jesuit in prison, and is therefore omitted here. B. Thomas Plumtree, who died in the Market Place, Durham, January 4th, 1571, had been chaplain to those who took part in the northern rising (1569-70). He was hanged, it is true, for his part in the rising, and for the purpose of inspiring terror in the

hearts of the inhabitants of the 'Bishopric,' but Nicholas Sander asserts that his life was offered to him if he would but renounce the Catholic Faith. Most probably B. Thomas was one of those who said Mass in Durham Cathedral for the last time after the insurgents had purged it of its heretical symbols, and re-erected its altars. Venerable James Bell was an old Lancashire priest who had been ordained in Mary's reign, and had apostatized under Elizabeth. At the age of sixty he fell seriously ill, and a Catholic lady who visited him, at length prevailed upon him to abandon his sinful life and resume his priestly office. He was reconciled to the Church, did penance for several months, and was finally allowed to say Mass once more. During the years 1582 and 1583 he acted as a missionary priest among poor Catholics, but was eventually arrested and sent to the Lenten Assizes at Lancaster. At his trial, he could not hear all that was said to him, for he was very deaf, but he boldly asserted the Papal Supremacy, so boldly that his judges laughed at him for an old fool. On hearing his sentence which one of the Sheriff's men shouted in his ear, he thanked God most heartily and put forward to the Bench the following pathetic plea: 'I beseech you, my Lord, for the love of God, add also to your former sentence that my lips may be pared and my fingers' ends cut off, wherewith I have hithertofore sworn and subscribed to heretical articles and injunctions, both against my conscience and the truth.' He was put to death at Lancaster on April 20th, 1584, at the advanced age of sixty-four years. About Venerable Richard Williams little is known; he had conformed, but was afterwards reconciled. He was hanged, drawn and quartered at Tyburn on February 20th, 1592.

III

In any account or appreciation of the Seminary priests, of their great work and of their heroic deaths for the faith of Peter, some mention must be made of William Cardinal Allen, and of the great training centres on the continent which he instituted and edified by his teaching and example, by his courage and determination, by his piety and learning. That England in the reigns of Elizabeth and James did not fall away entirely from Catholicism, that our country was not reduced to the state of Scandinavia and Denmark, that English Catholics rejected compromise and fought on, is due, under God, to Allen and his three great colleges of Douai, Rome and Valladolid. How quickly Allen's work went forward the following list of dates will show:—

- 1568 Douai College founded.
- 1573 The first students ordained priest.
- 1574 The first priests sent on the English Mission.
- 1577 B. Cuthbert Mayne, the proto-martyr of the seminaries, hanged at Launceston.
Foundation of the Venerable English College in Rome.
- 1579 Allen obtains permission for Jesuits to go to England.
- 1580 100 Seminary priests at work in England.
Fr. Persons and B. Edmund Campion arrive in England.
- 1581 B. Ralph Sherwin martyred, the first of the Roman alumni to die.
- 1589 Allen and Persons found the English College at Valladolid in Spain.

By the time of Elizabeth's death in 1603 Douai College alone had sent on the English Mission four hundred and fifty priests, and in 1644 the total had reached six hundred and fifty-four. Furthermore, of the one hundred and twenty-five Beati or Venerabiles who died under Elizabeth, all but six received the whole or part of their priestly education in one or more of Allen's seminaries, and thus came directly under his influence or its effects. Catholic England to-day owes a debt to Allen that is ever increasing. The Venerable English College in Rome still flourishes, and boasts now of more students within its walls than it has ever held before at one time; Valladolid's English College is in a like state of prosperity; whilst here in England, Ushaw, Douai's direct descendant in the North, and Old Hall in the South, carry on the task that this great son of Lancashire so nobly began.

Owing to the large number of Seminary priests who died for the faith in England, it is quite impossible to treat of them individually. To do so would require many volumes, for there are one hundred and thirty-seven of them who died on the scaffold, and have since been beatified or declared venerable by the Holy See. Besides this glorious band one must not forget that eight of the eleven Jesuits who suffered under Elizabeth were originally Seculars, laboured on the Mission as such, and ought to be classed with the men of whom I am treating. However, as they died after application for admission or gained their crown as members of the Society, it is better to leave them in the hands of their fellow religious, from whom they will receive a far more detailed and interesting treatment. We Seculars are justly proud of our Jesuits, of men such as Briant, Nelson and Woodhouse, but

it would be churlish, nay uncatholic, to grudge the sons of St. Ignatius their share in the glories of the Elizabethan persecutions, when all were working '*Ad maiorem Dei gloriam.*'

Before all else I must point out that the Seminary martyrs were men of extreme piety and holiness of life before ever they sealed their faith with their blood. Knowing full well, as they did, the horrors that awaited them on their capture, and realizing that presumption of God's grace never yet made a martyr, they prepared themselves beforehand for the ordeal by prayer, fasting and the practice of virtue. It is difficult, where all were so heroic, to select examples of sanctity; but I trust that the following account of their adventures and sufferings will demonstrate their holiness as well.

The Seminary priests were drawn from all sorts and conditions of men. Venerable Alexander Crow was a poor shoe-maker of York, who crossed over to Rheims in 1581, and there in the seminary found employment first as a cobbler, then as porter, after that as under-cook and, finally, by diligent study succeeded in persuading his superiors to accept him as a candidate for Holy Orders and the English Mission. His life of hard toil was completed on the scaffold at York, November 30th, 1587. The night before his execution he was much tormented to despair, and he told a fellow prisoner that Our Lady and St. John the Evangelist had appeared to him and driven away the Evil One. Comforted by this vision he met his fate cheerfully and with a simplicity that only the saints possess. In an extract from the Douai University Register English students are often described as '*pauperes*'; but this does not mean that all of them were

so originally. Many, indeed, had been men of substance, or sons of well-to-do parents, and had given up all to follow Christ, or had been disinherited, or had been robbed of their possessions by the Crown. Quite a number of the martyrs had formerly been school-masters, e.g., Garlick, Fenn, Munden, etc. Venerable John Amias was a wealthy cloth-monger of Wakefield, and on his wife's death proceeded to Rheims. B. Cuthbert Mayne and numbers of others had once been Protestant ministers, whilst Venerable Francis Ingleby, son of Sir William Ingleby, had been called to the Bar, and was sufficiently wealthy to pay for his education at Rheims, where the English College was temporarily situated. Most of the earlier martyrs were Oxford and Cambridge men, the former University contributing by far the larger number; hence there were among them men of keen wit, learning and scholarship. Venerable John Ingram, who was hanged, drawn and quartered at Gateshead in 1594, wrote fluent Latin sapphics, elegiacs and hexameters, whilst in prison. A sapphic ode of his on his different prisons is a charming piece in a light vein. Yet this gentle scholar was cruelly tortured by Topcliffe, and forced from that *Presbytero-Mastix* (as the Douai Diaries style him) the admission that the martyr was 'a monster among all other for his strange taciturnity.' Another poet-martyr was B. Richard Thirkeld. Though Bridgewater reproduces some of his verses in alcaics, it is not certain whether B. Richard himself wrote in Latin or English. This martyr died at York in 1583 after the usual butchery. A member of Queen's College, Oxford, before going over to Rheims, he is remarkable for his veneration for the priesthood. Challenor tells us that on his return from the place where

he had been ordained he kept lifting up his hands to heaven in astonishment, and crying out, 'O good God! O good God!' Constant meditation on the sacrifice of Calvary and the altar 'produced in his soul that daily increase of divine love and heavenly courage that there was nothing in life that he desired more than, in return for what Christ had done for him, to shed also his blood in Christ and for Christ.'

As the martyrs differed in upbringing and the circumstances of their pre-seminarian life, so did they vary in age at the time of their death. The Canterbury martyrs of 1588, viz: Venerable Christopher Buxton, Robert Wilcox and Edward Campion, were aged 28, 30 and 36 years respectively; whilst Venerable Robert Watkinson, who suffered at Tyburn on April 20th, 1602, was only 23 years old. His career as a priest was very short, for he was executed before he had been ordained one month. He was a delicate young man, yet they hanged and quartered him without pity. Other martyrs were very old when they died. B. William Lacy, who had been married for years to a widow named Creswell, and who on his wife's death in 1580 went over to Rheims, must have been considerably advanced in years when the rope and the knife finished his earthly existence. His stepson, Arthur (Joseph) Creswell, became a Jesuit, and eventually Rector of the Venerable English College in Rome. Lacy was already a confessor to the faith before he became a priest. He was forced to give up his business in York, was heavily fined, and in the end had to fly from the city with his wife and children. His wife apparently succumbed to these hardships. Cornelius a Lapide takes the opportunity of eulogizing her memory in his Commentary on the Epistle to the

Hebrews at the verse: 'For you both had compassion on them that were in band, and took with joy the being stripped of your own goods, knowing that you have a better and a lasting substance' (Heb. x. 34). Venerable James Fenn, a Somersetshire martyr, had the experience, unique for a priest, of blessing his little daughter Frances on his way from the Tower Gate to Tyburn. 'It was a moving spectacle to many,' writes Challoner, 'to see his little daughter, with many tears, take her last leave of her father upon this occasion, whilst the good man, who had long since been dead to all things of this world, looking upon her with a calm and serene countenance, and lifting up his hands as well as he could, for they were pinioned, gave her his blessing, and so was drawn away.'

Some very aged men suffered in the seventeenth century. Venerable Thomas Reynolds, hanged and quartered at Tyburn, on January 21st, 1642, was nearly eighty; Venerable John Lockwood, who died at York in the same year, was eighty-one, and Venerable John Kemble, executed at Hereford in 1679 after fifty-four years of labouring in the 'Vineyard,' was well over eighty. When urged to anticipate capture by flight the last-named replied 'that according to the course of nature he had but few years to live, and that it would be of advantage to him to suffer for his religion, and therefore he would not abscond.' There used to be a tradition that Kemble on his way to death was permitted to rest for a while in a friend's house and smoke a pipe, and that for many years afterwards a farewell pipe among friends was called a 'Kemble.' Whether by accident or by design, the old man was hanging half an hour before he passed to his reward.

✓ It is not difficult to imagine the dangers which these intrepid missionaries had to face during their hunted life in England, and which made disguises necessary. Allen, on one occasion, had to take up his pen in defence of his men, and of their going about England dressed as fashionable 'bloods.' Writing to Dom Maurice Chauncey, the last survivor of the London Charterhouse, who had apparently completely misunderstood the then existing situation in England, the President of Douai says: 'That any of them go in feathers (i.e. in swash-buckling attire,) which I perceive is another thing noted in them, I have not much heard of before; but I am assured they go not in such comely sort as their Holy Order requireth, nor as we and themselves would most heartily wish they might do with their safety and (that of) others with whom they deal; but also they needfully disguise themselves with colours, ruffs and rapiers, and I cannot tell how many ways beside.'¹ Dom Chauncey would have to do the same, he argues, were he to find himself in London, Flushing or Geneva; he might even wear a feather, 'Thowghe,' adds Allen with a quaint touch of humour, 'I should laughe to meete you in a fether there.' I wonder what the holy old Carthusian would have said had he seen Venerable Thomas Holford at his capture. This martyr is fully described in a letter of Chadderton, the Protestant Bishop of Chester: 'The said Holforde is a tall, blacke, fatte, stronge man; the crown of his head balde, his beard marquezated (i.e. all shaven except the moustache) his apparrell was a black cloake with murrey (mulberry) Lace, open at the shoulders, a straw coloured fustian doublet, laide on with red lace, the buttons red, cut and laide under with redd Tafeta; ash coloured hose,

¹ Spelling modernised.

laid on with byllmit (trimming) lace cut and laide under with black Tafeta; a little black hatte, lyned with velvet in the brymmes, a falling band (i.e. a flat collar of cambric) and yellow knitted stocks.' Holford was a daring man, as his attire suggests, and he escaped the pursuivants more than once by sheer coolness, but in the end he was martyred at Clerkenwell on August 28th, 1588. To resume Allen's letter: 'I could reckon unto you the miseries they suffer in night journeys, in the worst weather than can be picked; perils of thieves, of waters, of watches, of false brethren; their close abode in chambers as (if) in prison or dungeon without fire or candle lest they give token to the enemy where they be; their often and sudden raising from their beds at midnight to avoid the diligent searches of heretics; all which and divers other discontentments, disgraces and reproaches they willingly suffer, which is great penance for their feathers (i.e. atones for their worldly dress), and all to win the souls of their dearest countrymen.' This letter is dated August 10th, 1577, three years after the first Douai priests had crossed over to England, and three months before the death of B. Cuthbert Mayne.

∪ The appalling agonies that most of our martyrs had to endure, the torture of the rack and 'Scavenger's Daughter,' the close confinement in foul dungeons, were enough to daunt the stoutest heart. The plea that men in those days were cast in a harder mould than they are now is only partly true. Some of the martyrs were sensitive, gentle characters, and their glorious fortitude is due really to supernatural causes. The case of Venerable Thomas Whitaker, who suffered at Lancaster in 1646, at the age of 33, proves this. I find in the copy

of the Knaresborough MS., preserved at Ushaw, a long account of the way in which he met his death.

When it was that Mr. Whitaker was first appalled with the fears of Death so as to be taken notice of by those about him, is not entirely known: wether (*sic*) during the Interval betwixt Sentence and the Execution Day, or some time before, or whether only at the place of execution. . . . His constancy was put to the test at the foot of the ladder as he was forced to watch his companions (Venerable Edward Bamber, priest, and Venerable John Woodcock O.S.F.) executed. . . . No wonder if nature started at the sight, and paleness and trembling seiz'd him . . . he suffered a deep agony and sweat for fear and pray'd earnestly.¹

On being summoned, however, to make the final choice, he did not hesitate or flinch, but mounted the ladder courageously. Some priests there were who through weakness, terror of physical pain, or lack of spiritual preparation apostatized on the scaffold or in gaol; others, on the contrary, such as Richard Simpson, John Hambly and William Dean, failed once, but by God's grace overcame their fears and died as gloriously as the bravest. In 1588, at Chichester, four priests were tried together, and the way in which two triumphed and two failed is instructive. One of them, Venerable Ralph Crocket, went through his trial and martyrdom without flinching, though it must have been a bitter disappointment to him that he was arrested on board ship at Littlehampton in Sussex without ever having set foot in

¹ Ven. John Ingram also felt the terrible strain of waiting. He wrote in prison the following elegiac couplet:

Altera sanguineae mors est cunctatio mortis,
Quae ridet veteres tincta cruore comas.

The halting steps of bloody death make another death, who grins at me, her aged locks all steeped in gore.

England. He showed himself most resolute, and strove to persuade his three companions to remain firm. Of these, a priest named Oven gave way first, and publicly renounced his religion at the following Quarter-Sessions; Venerable Edward James, who was small of stature and timorous by nature, yielded so far as to betray the name of a Catholic layman, a harbourer of priests, but he had repented of his momentary weakness, and died immediately after Crocket. The last of the four, Francis Edwards, showed signs of hesitation, and so they kept him at the foot of the scaffold until the butchery of his fellow-priests was over. This sight proved too much for him, and he apostatized. B. Ralph Sherwin was cruelly racked and then laid out in the snow; B. John Payne was racked once in August, 1581, and again on the 31st October, on which date the *Diary of the Tower* has the entry, 'John Payne, priest, was most violently tormented on the rack.' Topcliffe did not always rely on physical torture, as the case of Venerable Thomas Pormort proves. Decency forbids my telling you of what he accused the martyr, and I only mention the matter because we are apt to forget that moral torture can often be more severe and relentless than physical suffering.

The butcher-like methods of the executioners were frequently aggravated beyond telling by the unskilful way in which these brutes performed their task. The martyrdom of Venerable Thomas Pilchard at Dorchester in 1587 is a case in point. Venerable John Sandys was cut up with an 'old rusty knife, full of teeth like a sickle,' whilst Venerable Hugh Green, who died in 1642, was so hacked about by a local *barber*¹ that he was half

¹ Possibly a low-class surgeon.

an hour in dying, and would have been longer, had not a devout lady begged the Sheriff to put the servant of God out of his pain. This they did by cutting his throat. The final agonies of death were usually encountered with prayers and ejaculations. Thus we read of Venerable Edmund Genings that in his death throes he first exclaimed, 'Oh, it smarts!' and then called on St. Gregory, whereat the hangman, letting fall a startled oath, shouted, 'See his heart is in my hand, and yet Gregory is in his mouth—O egregious Papist!' Venerable John Boste ascended the ladder reciting a portion of the *Angelus* at each step. Others died calling on the Holy Name or praying for their persecutors. Of the death of Venerable Thomas Hemerford, butchered at Tyburn, 1584, an eye-witness says: 'He was cutt downe half dead; when the tormentor did cut off his membres, he did cry "Oh! A!"—I heard myself, standing under the gibbet.'

Not only were the martyr-priests courageous in the face of death, but they even jested at their sufferings and humiliations. References to the rope as 'the happiest collar that ever went about a man's neck,' and to the fetters as 'new-boots' or 'little bells,' show a light-hearted spirit. Venerable John Sugar, put to death at Warwick in 1604, declared on the morning of his death to his weeping friends, 'Be ye all merry, for we have not occasion of sorrow but of joy; for although I shall have a sharp dinner, yet I trust in Jesus Christ I shall have a most sweet supper.' When the Venerable John Robinson was ordered to Ipswich for trial, the officials of the Clink endeavoured to secure a horse for him, as he was an old man. Hearing of their kindness, he begged

them not to trouble, saying, 'I need no horse, I will go on foot with as good a will as you ride.' He refused top-boots, too, because 'these legs had never boots on yet, since they were mine, and now surely they shall perform the journey without boots, for they shall be well paid for their pains.' He walked the whole way from London to Ipswich on foot and in shoes, a matter of some fifty or sixty miles. At his arraignment he answered the judge so resolutely that the latter remarked, 'I think this fellow intended to be hanged,' and the old man replied with unfailing good humour, 'For what else did I come hither?' Equally quick at repartee was Venerable John Almond of Lancashire, who had a ready answer or retort for all the questions or insults that King, the Protestant Bishop of London, heaped upon him. Venerable Robert Anderton, another Lancashire man, who was put to death in the Isle of Wight along with William Marsden of the same county, burst out into a speech of righteous indignation, when Cowper, the Protestant Bishop of Winchester, taunted him with the calumny of Pope Joan. 'The Bishop was the last man in the world,' concluded our martyr, 'to sneer at a woman pope, even supposing that "foul fabrication of heretics" were true. What else was Queen Elizabeth?' We are told that Winchester could not answer.

I will conclude this paper by quoting an ode written by the late Mgr. Robert Hugh Benson as an introduction to the first act of his play *The Cost of a Crown*, produced at Ushaw twenty years ago. I had the privilege of witnessing this moving drama, and nothing has ever brought closer to me the actual joys and sorrows of the Seminary martyr's life than this great portrayal of the

final episodes in the earthly career of Venerable John Boste:—

Sing we the men who, once of old,
When England's glory and her name
Went down in blood and utter shame,
 Rose for her, quick and bold.
 Strong sons of strongest sires
 Kindled again her flame,
And sent again to heaven her altar fires.
Ah! not on reeling deck or field of fame,
With maddening music and a leader's cry,
With hot blood beating and a world's applause
Was this their glorious conflict; theirs to live and die
 In lonely constancy;
To meet a world's reviling; theirs to be
Fruit of the rack and chains and shameful gallow's tree.
 So lived in shame and strife,
 And passed to Life.

XII

THE BENEDICTINE MARTYRS

BY DOM STEPHEN MARRON, O.S.B.

FOR the sake of clearness it will be well to enumerate at the outset the Benedictine candidates for the honours of martyrdom. According to the Roman lists they are the following:—First, among the *beati*, are the abbots of Colchester, Glastonbury and Reading, with four companions all executed under Henry VIII in the year 1539: among the *Venerabiles* are Fr. Barkworth of Elizabeth's reign, Frs. Gervaise, Roberts and Scott of James I's reign; Frs. Barlow, Powell and Roe of Charles I's reign; and Br. Thomas Pickering, a victim of the Titus Oates' Plot; among the *dilati*, or those whose case is referred back for insufficiency of evidence, are Frs. Dyer, Hesketh, Kemp, Cox, Adelham and Constable.

The three abbots and their companions have been confirmed in the cult of *beati* in the same way as the other English martyrs depicted in the well-known Roman frescoes, that is, by the summary or equipollent method, in virtue of the sanction granted by Pope Gregory XIII to the making and publication of the said frescoes. This is a formal acknowledgment of *fama martyrii* only, and before their cause can proceed further true martyrdom must be proved. Hence, in this matter, they are practically in the same case as the venerables.

A great difficulty in their cause is the regrettable dearth of records. Some years ago Cardinal Gasquet, after patient research among the public records, remarked 'the singular mystery which surrounds the fate of these

abbots.' Little more has come to light since. The official records of indictment and trial are missing, nor is there anything in the nature of a reliable detailed account to supply the deficiency. We are forced, therefore, to seek for evidence in scattered, fragmentary and, we may add, hostile sources. The sifting of such evidence is a tedious and lengthy matter. It may be found more at large in the works of Cardinal Gasquet and Dom Bede Camm. We can here give no more than brief outlines and suggest conclusions.

The mystery of the matter was shared to some extent even by contemporaries. It is remarkable that one usually so well informed on current events as the French ambassador Marillac had to confess nearly a fortnight after the execution of the abbots of Reading and Glastonbury, 'I have not been able to learn any detail of what they were charged with, but it is commonly said to be the aftermath of the late lord Marquis' i.e. of the so-called Exeter conspiracy. Letters of reformers in England likewise re-echo the broad charge of treason and conspiracy, but give no detail of evidence. Even the lengthy and scurrilous harangue, written at the time by one of Cromwell's scribes for popular consumption, though full of allusions to conspiracy and treason, vouchsafes us no specific details. Only one writer, of the succeeding reign, makes a specific charge on this head. This is the author of a pamphlet entitled *The English Pilgrim*, a eulogy of Henry VIII's reign, where it is asserted that the abbots of Reading and Glastonbury 'had conjured the said Cardinal Pole's elder brother, named the Marquis Montague, with the other Marquis of Exeter . . . Yea,' he continues, 'and it passed conspiracy to come to effect. For part of the

rebels to the number of eight hundred in the second insurrection in the north was paid with money sent them from those abbots out of the south.' The chroniclers, however, both contemporary and subsequent, have nothing of this, but put forward as their chief offence the denial of royal supremacy. Thus Hall, the contemporary lawyer, writing in 1548, states simply that Abbot Cook was condemned 'for denying the king to be supreme head of the Church,' Abbot Whiting 'for the said case and other great treasons,' and Abbot Beche 'for the same confederacy of treason.' Stow briefly gives as their offence 'denying the king's supremacy.'

The course of events preceding their execution throws much light on the matter. The Parliament of 1536 did not authorize any suppression of the greater houses and Cromwell therefore endeavoured by his well-known methods to wring from them so-called voluntary surrenders. In this he and his agents were only partly successful. As late as the end of 1538, his agents reported the continued resistance of many of the large abbeys, for instance, Reading and Colchester. More stringent methods were evidently needed. The Parliament of 1539, while sanctioning the voluntary surrenders, did not authorize the suppression of these abbeys, but Cromwell secured in the Act the insertion of what Cardinal Gasquet has called an 'ominous parenthesis,' referring to such houses as shall come to the king 'by attainder or attainders of treason.' Parliament was prorogued on June 28th, and did not reassemble until April 12th in the following year. Cromwell at once interpreted and acted on the inserted clause after his own fashion. He took advantage of the parliamentary recess to deal with the abbots, not according to their

rights as spiritual peers, but after a manner of his own. Dr. Lingard has stated that as ordinary criminal prosecutions were conducted at that period, 'the crown could hardly fail in convicting a prisoner, whatever were his guilt or his innocence,' and Cromwell's famous 'remembrances' concerning these abbots show that he was taking advantage of that fact.

Why he singled out the abbot of Reading for the first blow is not yet sufficiently clear, but it is worthy of note that a certain Sir William Penyson, who had his eye on the abbey, had for some time been earnestly urging its suppression. With a letter of August 15, he sends Cromwell a valuable present, reminds him of his petition, and warns him that the abbot was selling off sheep, corn and other goods of the abbey. Within a few days the abbot was arrested, at latest by the first week of September.

While the suppression of Reading was being completed, Cromwell directed his agents to proceed to Glastonbury for a like purpose, and these two abbots were dealt with as being in some way connected in their offences, while Colchester was dealt with later as, apparently, a separate matter. The conviction is borne in upon one that when Cromwell proceeded against these abbots, he had but general and vague notions of the charges on which the indictment was to be based, and how to substantiate them. The feverish anxiety with which his agents searched at Glastonbury for matter for a charge of any kind, and the careful examination made of the neighbours at Colchester, friend or foe, for anything in the form of disloyalty, reveal how the matter was conducted. Their conscientious refusal to yield up their abbeys could not appear in the indictment because it was not a legal offence. On what charges Cromwell did carry

forward the condemnation of the abbots and their companions we cannot say precisely in the absence of the official documents. From the scurrilous harangue composed on the occasion we can gather that against Abbot Cook some charge of abetting insurrection was trumped up, and he was connected with Fr. Eynon, who, as a secular priest some years before, had been accused of possessing a copy of Aske's proclamation. There also figures very conspicuously his attitude towards the oath of supremacy and his declarations of loyalty to the Holy See. From a passage in Coke's *Reports* it would seem that Fr. Rugg was charged on his attitude to the Oath of Supremacy: he was also charged for salving one of the relics. Abbot Whiting is represented as being generally in league with Abbot Cook. A detailed charge against him and his two monks was that of hiding some of the monastic treasures from the hands of the spoilers. Indeed Russell, who conducted the whole affair at Glastonbury, simply reported to Cromwell that they had been executed 'for the robbing of Glastonbury church.' It is clear that among the charges brought against Abbot Beche was that of denying the royal supremacy and the king's right to suppress the abbeyes.

The evidence at present available gives the unmistakable impression that the whole affair was carried through perforce by Cromwell, and hushed up in an atmosphere of mystery. No detail of evidence of any offence against the just rights of civil authority to merit death has come down to us, even in hostile authors. They apparently knew of none: and the scribbler of the harangue suspected with much reason 'that his Holiness will after their hanging canvass them, canonize them, I would say, for their labours and pains. It is not to be

doubted but his Holiness will look upon their pains as upon Thomas Becket's, seeing it is for like matter.'

As for their constancy, there is evidence that Abbot Beche showed some weakness when examined in the Tower, but the circumstances of it we do not know. He showed more firmness at his trial, as is evident from the judge's report to Cromwell. For the rest there is nothing to suggest weakness. Even from the unfriendly account of the haranguer it is clear that Abbot Cook faced his ordeal with dignity and firmness, and his two companions likewise took their death with due resignation. From Russell's report the same is true of Abbot Whiting and his two monks. Catholic tradition ratified their cause a few years later in singling them out from other monks who had suffered under Henry, to be depicted among the frescoes at the English College, Rome. Fr. W. Good S.J., who procured the painting of the frescoes, was a contemporary of the abbots, and indeed a native of Glastonbury under Abbot Whiting.

Thus fell these martyr abbots, as it were in the last trench thrown up in defence of the religious houses of England. After their execution the houses fell rapidly, and within a few months all monasteries had been swept from the land. In Queen Mary's reign, Westminster Abbey was restored for a brief period, under Abbot Feckenham, but on Elizabeth's accession, it was again suppressed. It was not until Elizabeth was on her death-bed, and James was preparing to ascend the throne, that a new generation of English monks fired, like the new generation of secular clergy from Douai, with the spirit of missionary and martyr, entered England from monasteries beyond the seas. The movement began in the English College, Rome, whence some of the students

entered Italian monasteries, and in 1595, petitioned the Cassinese Chapter for a new Benedictine mission to England. Their petition was granted, but the sanction of the Holy See was still required which, for certain reasons, was delayed. In the meantime, Mark Barkworth, a student at the Roman College, passed to the seminary at Valladolid and carried the movement thither, and several students entered Spanish monasteries. The matter of the Benedictine mission was still delayed at Rome, when in February, 1601, there appeared on an English scaffold a martyr clothed in the Benedictine habit and professing himself publicly a monk of that order. It was Fr. Mark Barkworth. Seeing that not many months earlier he had set out from Valladolid as a secular priest, his claim has been for a long time a matter of dispute, but Dom Bede Camm has now shown that Fr. Barkworth, on his way to England, received the habit at the monastery of Irache, as an oblate or vowed Benedictine. There were several such 'vowed Benedictines' at that period, men who desired to join the order, but were temporarily prevented from taking the monastic vows. Dom Benet Weldon thus expresses the procedure in one case: 'He made an oblation of himself to the order and by a solemn oath vowed to R. F. Bradshaw that he would take the holy habit.' The difficulty in Fr. Barkworth's case was presumably that of reconciling his vow of the English mission with the monastic vows, so long as there was no Benedictine mission to England. The result of the oblation thus made was, says Dom Bede Camm, that he 'was allowed to make the monastic vows at the hour of death and to be reckoned among the professed sons of St. Benedict.'

Fr. Barkworth was arrested soon after his arrival in

England. The record of him made by our English Benedictine forefathers in their work, the *Apostolatus*, is worth noting. 'After lengthy imprisonment,' it states, 'from which he could easily have escaped when others escaped and urged him to join them, he preferred to undergo the final sentence of death for Christ's glory, and so after nine examinations before the judicial tribunal he suffered martyrdom at London on February 27th in the said year [1601], and on the day of his death he had the monastic tonsure made, put on the religious habit, and publicly proclaimed that he died in and for the same faith which the monks of his order had first preached to the English people.' The sole charge against him was his priesthood. He refused to be tried by an unlearned jury, whereupon he was condemned out of hand. On hearing the sentence, he fell on his knees and uttered a fervent *Deo gratias*. At the scaffold he had two companions in martyrdom. The first to suffer was that brave woman, Venerable Anne Line. Then came his turn, and since he was a large built man the executioner took care to cut the rope at once so that Fr. Barkworth was standing up fully conscious when they proceeded to the quartering. His noble companion, Venerable Fr. Filcock, S.J., encouraged him earnestly in his great agony under this brutal ordeal.

Fr. Barkworth was thus the precursor, we may say, of a new band of Benedictine martyrs. The fame of his martyrdom spread rapidly abroad among the aspirants to the Benedictine mission, both in Italy and in Spain, and no doubt hastened the sanctioning of the same by the Holy See. The monks of Italy indeed, obtained the Papal sanction a few months after this event; but as they were preparing to set out, certain difficulties on the

English mission were brought before the Roman courts, and his Holiness therefore desired the monks to delay their mission until these differences were settled. About the end of 1602 the final sanction was given, and as James was ascending the English throne two small parties of monk missionaries from Italy and Spain respectively, arrived on the coasts of their native country.

One of the chief reasons that had impelled those of Italy to institute a new Benedictine mission was this: There was in prison at Wisbeach an old monk of Westminster, the only survivor, as was said, of the ancient Benedictine congregation, of the monks who had first brought the Christian faith to England. They considered it highly important, therefore, that through his instrumentality the Benedictine line should be continued in unbroken succession as a convincing proof to heretics of their defection from the faith of their Apostles. A few years later, old Fr. Buckley gave the habit to two secular priests, subjects of the Cassinese congregation, aggregating them to his abbey of Westminster. One of these priests, Fr. Mayhew, was the very person who, before setting out for the English mission as a secular priest from the Roman college, had penned the petition of 1595 to the Cassinese congregation. He now at last obtained his desire, and had the honour of continuing the unbroken succession of the Benedictine line of England.

The main difficulty confronting English Catholics in James' reign was the oath of allegiance. Opinions were divided as to its lawfulness. Fr. Preston, a Cassinese monk, though at first a strong opponent, later gained some notoriety for upholding the oath under the name of Roger Widdrington. One might easily be led to conclude that this represented the attitude of the

Benedictine missionaries. It may be noted, however, that of the score of martyrs who suffered for refusing the oath in that reign, four were Benedictines. Moreover, in 1608, the year after the enactment of the oath, Fr. Beech, procurator in Rome for both parties of monks, reported thus to the Holy See: 'All the Benedictines, before the apostolic brief, condemned this oath as intrinsically evil. Hence the first who suffered death in this cause, one a confrater of the order, the other a monk, followed the decided conviction of the other monks and preferred to die unsworn than to live foresworn.'

The monk-martyr mentioned by Fr. Beech was Fr. George Gervase, who suffered in April, 1608. The Benedictine *Apostolatus* states that he was 'first a priest of Douai seminary and afterwards received to the habit by Fr. Augustine, vicar general for our order for England. Other records too state that he was a Benedictine novice. On the scaffold, he simply professed himself to be a monk of St. Benedict's order. At his trial his attitude towards the oath was very pronounced. When it was offered him he replied 'that he could not take it with a good conscience.' It was urged that it was but an oath of loyalty which the archpriest and others had taken. He made answer that he would readily take an oath of mere loyalty, but 'that this oath was of a very different nature.' The Recorder then questioned him closely about the deposing power. Had the Pope authority to depose King James? After much urging he at length replied, 'Since you wish me to tell the truth, I say that the Pope can depose kings and emperors when they deserve it.' This bold answer caused consternation in the court. His sentence may be found in the Middlesex County Records. Among the numerous accounts of his

trial and martyrdom, perhaps the most interesting is that of his confessor, Fr. Robert Chamberlain, who accompanied him on horseback to the scaffold. He remarks how sorely pestered by ministers the holy martyr was while in prison. 'Never,' he says, 'any priest for the space of two or three days had more affliction amongst ministers . . . for then the oath was at its first entrance.' As the martyr drew near to Tyburn the Sheriff offered him life and freedom for the taking of the oath. 'If thou wilt repent thee and take the king's oath,' he said, 'I have power to set thee free.' 'At these words,' says Dr. Smith's account, 'the martyr's face somewhat reddened, and he seemed to hesitate for a moment as if seeking what answer to make. But he very soon recollected himself and answered courageously that he would never take the oath.'

A letter written at the time by Dom John Barnes from Douai, where the English monks had just succeeded in starting a first small house of their own, depicts the joy with which they received the news of the martyrdom. 'The martyr died with exemplary constancy,' he writes, 'twice making profession before the heretics that he was a Benedictine, and one of those religious who converted England; once he declared it at his trial before sentence was passed and again at the foot of the scaffold before the sentence was executed. Fr. Gregory Grange accompanied him right up to the scaffold, encouraging him, and the martyr kept his eyes fixed upon him, rejoicing at having him so near. Thus,' he concludes, 'we have begun to water this little house of the order at Douai with the blood of a martyr who has gone forth from it.'

The next monk to suffer for the oath was the well-known Fr. John Roberts, a young man in the thirties,

and of undaunted spirit and zeal. Before his final capture he had already been four times imprisoned and either banished or escaped. Consequently he was well known to the Bishop of London. 'Mr. Roberts,' said the Bishop to him at his trial, 'you know how often you have been brought before me. Hitherto you have been punished with exile, although you have been captured and recaptured time after time. Now what say you, Mr. Roberts? Will you take this oath or not?' 'Sir,' answered Fr. Roberts, 'you know very well what I think about this oath. I have told you before. I have never refused, nor ever shall refuse, to take any oath of allegiance which shall in truth be only such, but this oath contains other matters besides allegiance.' This attitude he steadfastly maintained and at length he openly professed his priesthood and received sentence. Whereupon he turned to the Recorder and said: 'I pray God to pardon you and all who have plotted to shed my blood. I pardon you with all my heart. May God protect the king, the queen, the prince and all the family of his majesty.' To this the Recorder took off his hat and said: 'I congratulate you on making so good an end.'

It is stated in a certain book published shortly after the martyr's death that when Fr. Roberts was returning from exile in 1607 he consulted some eminent divines in Paris on the matter of the oath, and that they considered it a lawful oath. It is also noted, however, that Fr. Roberts never openly taught this opinion, nor would he ever act upon it. Much of the difficulty among English Catholics on this question came from France, and the reports of the nuncio at Paris show how deeply the opinion against the Pope's deposing power was then

rooted in the theologians of the Sorbonne. It is greatly to the credit of Fr. Roberts that, in spite of this knowledge, he remained firm to the decree of the apostolic brief and suffered death rather than take the oath.

On a contemporary manuscript account of the martyrdom, sent apparently by Fr. Beech to the monks at Douai, is an interesting note which reads:

On Sunday morning, July 11th, 1611, Fr. Salazar, procurator of the congregation of Spain, and Fr. Beech of England, presented to his Holiness the above account, together with an engraved picture of the holy martyr, to which the Pope took off his berettina and kissed the face and with great affection, remaining all the while uncovered, enquired about the martyrdom. Then covering himself again he turned to Fr. Anselm and said, among other things, 'I will be to you a protector and a father.'

The next to suffer a martyr's death was one whom Fr. Roberts had converted to the faith and made a fellow monk. This was Fr. Maurus Scott, who was martyred in 1612. He was a Cambridge man, a student of jurisprudence. After his ordination he arrived on the English mission just in time to see his spiritual father hurried to the scaffold. This fired him all the more with desire for a like honour, and he confessed that he 'prayed from God nothing so much as that he might shed his blood for the faith he had preached.'

Signs of his legal training appeared in his manner of defence at his trial. He refused the oath of fidelity as it stood and offered a formula of his own. 'I will swear fidelity thus,' he said, '*I, Maurus Scott, swear that I have been, am, and ever will be to the very end of my life faithful to the king, his heirs and successors.* This is more than your statute demands, and this I will sign.' He came down from the prison to the hurdle in his Benedictine

habit, but the gaoler bade him take it off. On the scaffold he declared that his object in becoming a monk was the desire to be of the same order as St. Augustine, who brought the Christian faith to England. 'This is the religion which I have preached, for which I die, and which was yours also until these latter times.'

After this year 1612 there was a respite but in 1616 came a new band of martyrs. One of these, Fr. Thomas Tunstall, must be identified with 'the Benedictine monk,' Fr. Thomas Dyer, briefly mentioned by Challoner as having suffered at this period, and whose name figures among the Benedictine *dilati* in the Roman lists. His real *alias* was Richard Dyer, and he was among the prisoners transferred from Newgate to Wisbech in 1615. Dr. Colleton in a letter to More of July 11th, 1615, relates his escape with others from Wisbech and his recapture. He says: 'The third, a vowed Benedictine named Dyer, was taken again two days after the escape, and is now prisoner and in irons in the castle of Norwich, and by report is to suffer this next assizes.' This agrees circumstantially with the story of Fr. Tunstall who, there is reason to believe, was for a time among the monks at Dieulouard, and whom the English monks of those days reckoned among their martyrs. The first to divide him into two persons was Canon de Raisse, whom Challoner followed. In his work, published in 1630, he gives first all the Douai martyrs of the secular clergy, among whom he places Ven. Thomas Tunstall, basing his account on the *Exemplar Literarum*. Proceeding then to the accounts of the Benedictine martyrs, which he had received from Fr. Leander and Fr. Rudisind, he finds included Fr. Thomas Tunstall *alias* Dyer. In his perplexities he simply jots him down thus: 'In England was martyred Thomas

Dier of the same order.' Such is briefly the origin of the error.

Fr. Tunstall suffered death in July, 1616, and is the only martyr who suffered at Norwich. This fact itself sufficiently identifies him with 'Fr. Dyer the vowed Benedictine' who a short time before was in Norwich castle awaiting sentence, especially if taken in conjunction with Fr. Tunstall's declaration on the scaffold that he 'had made a vow of entering into the holy order of St. Bennet, if it could be done; and therefore he desired of the sheriff that his head might be set up on St. Benet's gate' of that city.

From this year until 1641, Challoner notes only three martyrs. During this period certain conciliatory efforts were made between Rome and England touching the nature of the oath offered to Catholics. The true loyalty of Catholics could not be justly suspected, and Charles II later had particular reason to appreciate the practical nature of their loyalty. The constitutions of the Benedictine congregation were only in keeping with those of other orders and with the spirit of Catholics generally when they decreed that 'No one design or counsel, speak or write anything savouring of sedition, contempt or injury against the kingdom, state or civil magistracy.' Fr. Leander, a prominent Benedictine, was entrusted with some sort of mission from Rome of a pacific nature. It was indeed a delicate mission, and he endeavoured to proceed with moderation and conciliation in the matter of the deposing power, which was at that period in a difficult stage of its history. The times, however, were not yet ripe, and Fr. Leander died without effecting his purpose.

In 1641 began a period of severe persecution, and the

following decade witnessed the heroic sufferings of a very happy and pleasant trio of Benedictine martyrs, Frs. Ambrose Barlow, Alban Roe and Philip Powell; while two others were brutally done to death by Parliamentary troops. Parliament had forced the hand of the King, and all priests were ordered to quit the realm. The first to suffer was Fr. Barlow, who for twenty years had laboured earnestly in his native Lancashire, leading a very fruitful and apostolic life, which has happily been described to us in some detail by the pen of one who knew him intimately, He describes him as 'our merrie martyr,' and declares that 'he was so mild, witty and cheerful in his conversation, that of all men that ever I knew he seemed to me the most lively to represent the spirit of Sir Thomas More.'

In 1628, when Fr. Arrowsmith, S.J., suffered death at Lancaster, Fr. Barlow had the honour of ministering to him, and as he himself often attested, Fr. Arrowsmith appeared to him afterwards and told him that he would be the next to suffer in that city, and so it came to pass. At the beginning of this new persecution Parliament sent instructions to Sir Robert Heath that any priest convicted at Lancaster was to receive the full sentence of the law. On Easter day, 1641, to quote Challoner, 'a neighbouring minister who had with him at church a numerous congregation, instead of entertaining them on that solemn day with a sermon and prayers as usual, proposed to them as a work more worthy of their zeal, to go along with him to apprehend Barlow, that noted Popish priest.' Fr. Barlow was eager for martyrdom. When his friends proposed by powerful mediation to save him from death and to procure his exile instead, he earnestly begged them not to deprive him of the martyr's crown. He answered his judges with a wonderful

Christian boldness and simplicity, freely acknowledged his priestly character, and gladly suffered death. 'And now,' we may conclude with his biographer, 'our merrie martyr is merrie indeed, and his joy shall never have an end.'

The following year witnessed the martyrdom of Fr. Alban Roe, a Cambridge man and a convert. Like Fr. Barlow, he too had spent full twenty years on the English mission, mostly in various prisons, but devoting his time to the instruction of those who came to them, and writing for their use small books of devotion, for the most part translations. Challoner describes him as 'of invincible patience and courage, and remarkably cheerful and facetious even in the midst of his sufferings.' De Marsys gives many examples of his simple cheerfulness when on his way to the scaffold. On the morning of his martyrdom he managed to say Mass in the prison and preached to those present and, referring to himself and his fellow martyr, Fr. Reynolds, made this eloquent peroration given by de Marsys: 'When you see our arms stretched out stiff and nailed up to the gates of the city, imagine that we are giving you the same blessing that we give you now; and when you look upon our heads fixed up over the bridge, think that they are there to preach to you and announce to you the very same faith for which we are now about to die.'

Fr. Powell, who suffered four years later, completes this happy trio of Benedictine martyrs. He was a fellow-countryman of the well-known mystic, Fr. Augustine Baker, who singled him out from the school at Abergavenny and directed him first of all in his law studies in London and afterwards in his religious vocation. After twenty years of missionary labours he was finally

taken on the high seas, and although he freely confessed his priesthood he displayed his legal acumen in his manner of defence. Whilst in prison awaiting death his mild and gentle disposition gained the enthusiastic goodwill of all around him, the gaoler included. His fellow-prisoners, to the number of twenty-nine, all Protestants save a few whom he had reconciled, of their own accord drew up and signed a certificate 'of his innocent and virtuous behaviour.' 'I wonder that being of Wales he was so free from choler,' writes an acquaintance who witnessed his last days, 'that I could never perceive an angry word or look from him who was so indefatigable to the importunity of hundreds, as he had scarce time to breathe.' Once when told there was a reprieve, he grew sad. He rode happily to the scaffold and being given a drink on the way he drank to the health of 'his coachman.' At the scaffold he was compelled to kneel with the cap over his eyes waiting for a quarter of an hour for the drawing away of the cart, for the carter, shrinking from his distasteful duty, had fled away.

The Titus Oates' Plot claimed the last of the Benedictine martyrs in the person of the simple and innocent lay-brother, Thomas Pickering. Except that we know what a supreme hoax it all was, we could not conceive how anyone could represent that gentle soul in the rôle of a dire conspirator. Both the King and the Queen were convinced of his innocence, but they were unable to save him. 'Is it you, Pickering,' said the King, who knew him well, 'who wish to shoot me with a pistol?' 'No, Sire,' was the simple reply, 'I have never fired a pistol in my life.' 'I thought so,' replied his Majesty. The Queen declared that she did not believe in the conspiracy,

for the fact that they had accused Br. Pickering, 'for,' she added, 'I should have more fear to be alone in my chamber with a mouse.' The martyr faced his sufferings with his usual guileless simplicity, and expressed his great joy at suffering death in the cause of his faith. As the cart was about to be drawn away, some bystanders called upon him to confess his guilt, whereupon he raised the cap for a moment and with a smiling countenance replied simply: 'Is this the countenance of a man who dies under so gross a guilt?'

Thus died the last of that noble community of English Benedictine martyrs headed by a great and powerful abbot, and ending most fittingly with this simple and heroic lay-brother.

XIII

THE ENGLISH MARTYRS OF THE SOCIETY OF JESUS

BY THE REV. C. A. NEWDIGATE, S.J.

Vice-Postulator of the Cause of the English Martyrs

UNDER this heading we include those, all and only, of the blessed and venerable martyrs who died as received members of the Society of Jesus. That will give us a total of thirty-three, five blessed, and twenty-eight venerables. We include the Scottish martyr, Venerable John Ogilvie, but not the nine Jesuits among the *dilati*. And it is to be noted that a large proportion of these martyrs were men who before they became Jesuits had already served the English mission for some time as secular priests, so that they rightly have their place on the martyr list of the secular clergy as well as of the Society. Thank God that it should be so, and that they thus make one more bond of union between two bodies, whose relations, alas! in those days were sometimes sadly strained.

I propose to deal with these chronologically, dividing them according to the periods of the persecution as indicated in my pamphlet, *Our Martyrs*,—Elizabeth, James I, the 'Puritan' Persecution and the 'Titus Oates' Persecution. There are of course no Jesuits among the Henrician martyrs. It will be noticed how in the subsequent periods the proportion of Jesuit martyrs to the whole number rapidly increases with the

growth of the Mission: under Elizabeth, 11 out of 189 (and a majority of these had joined as secular priests); under James I, 5 out of 27; under Charles I and the Commonwealth, 6 out of 26,—nearly a quarter; under Charles II, 11 out of 24,—nearly half

A word about authorities. So far, there exists no complete and authoritative history of the English province. The *Historia Provinciae Angliae* of Father Henry More (St. Omers, 1660) is very good as far as it goes (1635); but much history has been made, and much discovered, since then. The only other book which professes to be a *History of the Society of Jesus in England* is an unfortunate volume published under that title 20 or 30 years ago, interesting for those who want to be told what bad people the Jesuits are, but less so for those who want the facts of their history. There is, however, no lack of material, published and unpublished. Of the former, I need only mention the eight thick volumes of *Records of the English Province S.J.*, collected by Brother Henry Foley (1877-1883). From the latter, Father John Pollen, that most careful and industrious historian of the martyr-period, had for years been gathering materials for a long-projected official history of the province, when he was carried away by death. His work is being continued by his successor, Father Leo Hicks, and will in due time be published.

I. UNDER ELIZABETH

The Jesuit Mission in England began June 12th, 1580, and the man who more than any other brought it about was Dr. Allen. There was of course no English province at this date; but there were, scattered up and down in other provinces, a comparatively small number of

English members; and among them those two famous Oxford converts, ROBERT PERSONS and EDMUND CAMPION, both Allen's personal friends,—the latter indeed had been for a year one of his students at Douai. Allen earnestly petitioned the Pope and the Father General that these two might be sent to co-operate with his Douai men. Let me read you the letter he wrote to Campion, then at Prague, on learning that his request was granted. It shows the big heart of the man, and the warm affection which existed between him and the Jesuit:

Mi pater, frater, fili, Edmunde Campiane, (for to you I must address all the most endearing of names). Now that the General of your order (and therefore Christ Himself), summons you to Rome to go to our own England; now that your brethren after the flesh do call upon you, and God has heard their prayer; I must not be the only one to keep silence. . . . Make haste and come, carissime. . . . *Carissime frater, magna est jam in Anglia nostra messis*, there is a great harvest ready in England, and the ordinary labourers are not enough; there is need of others, of men more practised (*expeditiores*), you and other picked men of your order. The General has yielded; the Pope, like a true father of our country, has consented; God Himself has at last heard our prayer, that our Campion be given back to us, &c., &c. Rome, December 5th, 1579.

On June 12th, 1580, there landed at Dover from Calais a smart gentleman in a captain's uniform, who soon made friends with the search officer and secured his interest for a friend, a jewel-merchant, who was to follow in a few days. A fortnight later, on the feast of SS. Peter and Paul, the jewel-merchant, turned into Edmund Campion, was preaching his great sermon on the prerogatives of St. Peter to a large Catholic audience in London. Then for twelve months, two missionaries

traversed the greater part of England. Only twelve months; but those twelve months put new heart into the afflicted Catholics and left their mark upon the whole after history of the Church in England. Then Campion was betrayed by a false brother; and Persons, seeing that for the present it was impossible to continue the mission in England, succeeded in escaping, to direct it from the continent.

I need not remind you of the rest of Campion's story, his five months' imprisonment, his rackings and examinations, his famous disputations in the Tower, his trial for complicity in a pretended plot at Rome and Rheims, all sealed by his martyrdom at Tyburn on December 1st, 1581. He is generally reckoned the proto-martyr of the Jesuits in England, though actually two of the earlier priest-martyrs, B. THOMAS WOODHOUSE (1573) and B. JOHN NELSON (1578) had been admitted to the Society in prison. With Campion were tried and suffered B. RALPH SHERWIN (proto-martyr of the English College, Rome), and B. ALEXANDER BRIANT, a young Douai priest of 24;—he also had been admitted in prison. It was of him that Thomas Norton (who besides being a poet, was rackmaster at the Tower), made his brutal boast that 'he had left him a foot longer than God Almighty made him.' Eight others, condemned for the same 'plot,' suffered a few weeks later; one of them a Jesuit, the young Lancashire priest, B. THOMAS COTTAM, who had come home to England for his health.

When starting from London on his missionary journey, Campion had left in the hands of his friend, Thomas Pound, a written paper declaring the purpose of his mission. This soon fell into the hands of the persecutors,

and came to be known as 'Campion's challenge'—a noteworthy document. Here is its substance: 'My charge,' he says, 'is to preach the gospel, to minister the sacraments, to instruct the simple, to reform sinners, to confute errors . . . I never had mind, and am straitly forbid by our Fathers that sent me, to deal in any respects with matters of state or policy of this realm, as things which appertain not to my vocation, and from which I do gladly estrange and sequester my thoughts.'¹

He goes on to demand a hearing,—by the Council on the relations of Church and State;—by the Universities on the proofs of the Catholic Religion;—by the lawyers 'to justify the said faith by the common wisdom of the laws' of England. And he concludes with these noble words, to the persecutors a threat, to Catholics at once a promise and a prophecy:

Many innocent hands are lifted up for you daily and hourly by those English students whose posterity shall not die; which beyond the seas, gathering virtue and knowledge for the purpose, are determined never to give you over, but either to win you to heaven or to die upon your pikes. And touching our Society, be it known unto you that we have made a league—all the Jesuits in the world, whose succession and multitude must over-reach all the practices of England, cheerfully to carry the cross that you shall lay upon us, and never to despair of your recovery, while we have a man left to enjoy your Tyburn, or to be racked with your torments, or to be consumed with your prisons. The expense is reckoned, the enterprise is begun; it is of God, it cannot be withstood. So the Faith was planted, so it must be restored.

¹ Persons made a similar declaration, and it undoubtedly was the exact truth. Whatever may be said of the later Persons, (who in spite of himself became embroiled in politics), had he suffered with Campion in 1581, he would have been as unquestionably a martyr as Campion was.

The after-history of the seminaries and of the Jesuit mission in England surely prove that Campion's words were not an idle boast. Elizabeth's nominal answer to his 'challenge' was the disputation in the Tower, when the priest was brought up from his prison cell and the rack to hold unequal controversy with a well-primed band of Anglican divines; the real answer was the legislation of 1581 and 1585. The act of 1581 (23 Eliz. c. 1), was an attempt to stem the tide of conversion : henceforth it was to be high treason for anyone—Protestant or lapsed Catholic—to be absolved or reconciled, and high treason for a priest to absolve or reconcile him. By the later act (27 Eliz. c. 2), 'against Jesuits, Seminary priests and such-like disobedient persons' the priest or Jesuit became guilty of high treason by the mere fact of his presence in the country, while it was a capital offence for any Catholic man or woman to shelter him.

For nine years no Jesuit fell victim to the new act. Then they caught three 'weighty' Jesuits, Fathers JOHN CORNELIUS, ROBERT SOUTHWELL and HENRY WALPOLE.

CORNELIUS, the west of England martyr, was a native of Cornwall, but born of Irish parents. Befriended by Sir John Arundell of Lanherne, he went to Oxford and became a fellow of Exeter. Expelled thence for Popery, he passed over to Rheims and later to Rome. On the mission he was for ten years chaplain to his former benefactor, in the course of which he joined the Society of Jesus. He was one of the four Chideock martyrs who suffered at Dorchester in 1594.

Between the histories of ROBERT SOUTHWELL and HENRY WALPOLE there is a curious parallelism. Both

were Norfolk men. Both having joined the Society and been sent on the English mission, fell into the hands of Topcliffe, and were cruelly tortured, Southwell being subjected ten times, and Walpole fourteen times, to the form of racking which went by the name of the 'gauntlets,'—('I would sooner have died ten times,' said Southwell afterwards). Both too were poets, and of a delicate, sensitive nature to which those repeated 'examinations' must have been peculiarly abhorrent. In one thing they were unlike. Southwell under torture stood firm as a rock. Walpole at one time showed deplorable weakness. But it was only for a time; grace triumphed over weakness, and he ended with a glorious death upon the scaffold.

There is one other feature of resemblance between these two martyrs. Both have found their chief biographers among non-Catholic writers. Canon Augustus Jessop's *One Generation of a Norfolk House* is principally a biography of Walpole; and Grosart's complete edition of Southwell's Poems is preceded by a full account of the martyr's life. So too is Mrs. Ivo Hood's *Book of Robert Southwell*. For non-Catholics all three writers show a quite remarkable sympathy with their subject.

The remaining three of the eleven Elizabethan martyrs of the Society are Father ROGER FILCOCK, a priest trained at Douai and Valladolid, captured on his way to make his noviceship abroad: fellow-sufferer at Tyburn (1601) with Father Mark Barkworth, O.S.B., and that brave woman Ann Line; Father ROBERT MIDDLETON, of York, and a kinsman, it is thought, of Margaret Clitheroe, himself executed at York (1601); and Father FRANCIS PAGE, member of a Harrow family, the romantic story of whose conversion and vocation is

told by Father John Gerard in his famous autobiography. He died at Tyburn, 20th April, 1602.

II. UNDER JAMES I

The story of the persecution under James I is the story of Gunpowder Plot and its consequences. With the Plot itself we are not concerned here; nor need we stay to examine the theory advanced by some Catholic writers, ancient and modern, that the whole thing was engineered by Government agents. But how did it affect the list of Jesuit martyrs?

It is well to remind ourselves that the Jesuits in England at this time were still a mere handful, some 15 or 16. They had for superior Father HENRY GARNET; (he was not provincial, as sometimes stated: there was no English province till 18 years later). Though he had been nearly 20 years on the Mission, he had so far eluded the priest-hunters. Among his subjects were Father EDWARD OLDCORNE, Father OSWALD GREENWAY (whose true name was Tesimond), and Father JOHN GERARD, whose interesting autobiography and *Narrative of the Plot* (both published by Father Morris in his *Condition of Catholics under James I*), are especially valuable documents for this period. According to the common Protestant tradition, these men, especially Garnet, if not the principal contrivers of the Plot, at any rate knew all about it and approved. Garnet and Oldcorne were in fact condemned and executed for it; so would have been Gerard and Greenway had they not safely escaped to the continent. There were also two lay brother victims. Brother RALPH ASHLEY, Father Oldcorne's companion, was executed for aiding him.

Garnet's companion, Brother NICHOLAS OWEN (also called 'Little John,' the famous hiding-hole architect) died under torture, and was (as usual) declared to have killed himself.

What are we to say about these Jesuit plotters? or, to be more precise, what are we to say about Garnet's share in the plot?

Obviously, that question cannot be fully answered in a few lines; but I think the Catholic answer to the Protestant tradition might be worked out on some such lines as these.

First, it was not antecedently likely that Garnet would give any encouragement to the plot. He was not that sort of man. The plot was very wicked and very foolish. Garnet—the real Garnet, not the Garnet of fiction—was neither wicked nor a fool. What he was will appear when his life is written, as I hope it will be before many years, and all his correspondence given to the world.

Secondly, it is quite certain that the Government were determined from the first to make it appear that the plot was the work of Catholics as such, to involve in it the most responsible Catholics they could, and the Jesuits in particular; and so to make it a powerful means to discredit and hold up to odium the Catholic religion. In his speech from the throne immediately after the discovery King James himself declares, 'It was only the blind superstition of their errors in religion which led them to this desperate device.' Salisbury, speaking of the trial, declares that 'it is to be an anatomy of Popish doctrine'; and from the first there was no sort of evidence they were so eager to extract by torture as that which would incriminate the priests. They succeeded, only

too well; and the popular hatred of Popery which becomes so notable a feature of the persecution from this time onwards, was probably due, more than any other cause, to the artificially created powder plot atmosphere.

Garnet was captured at Hindlip with Oldcorne and the two lay-brothers on January 30th, 1606. When he was brought to trial on March 28th, they had had five months to collect evidence of his complicity; yet, writes Gardiner, 'no evidence which would satisfy a modern jury was produced.' The jury that sat that day in the Guildhall was more easily satisfied; and the Jesuit was hanged, drawn and quartered at Tyburn on the Feast of the Finding of the Cross, May 3rd. On the scaffold, continues Gardiner, 'he persisted in his denial that he had any positive information of the plot except in confession, though he allowed, as he had acknowledged before, that he had had a general and confused knowledge from Catesby. In all probability this is the exact truth.'

The case of Father Henry Garnet was fully discussed in the process of 1874-1886, yet his name does not appear on the list of Venerabiles. Why was it omitted? Apparently by an error of judgment on the part of those who were defending his cause. They tried to defend him as a martyr for the seal of confession. It was easy for the Promotor Fidei to show that he was not strictly so. So the case was left aside for a fuller and clearer presentation, which it was thought better to reserve till the publication of Garnet's life. When that is done I have every confidence that the cause of his martyrdom will be resumed and proved beyond all question.

The immediate effect of the Gunpowder Plot was the passing of four fresh acts against Catholics, one 'for

solemnizing Gunpowder Plot Day,' another for 'the Attainder of all accomplices,' a third 'for the Discovery and Repression of Popish Recusants,' and a fourth 'To Prevent Dangers from Popish Recusants.' The last two are in effect a re-enacting of the whole penal code with added severity. One notable feature now first introduced is the so-called oath of allegiance. Its formula had been carefully prepared by Bancroft, Bishop of London, with the help of an apostate ex-Jesuit named Perkins, with the express object of creating divisions among Catholics. It ran as follows:

I, A.B., do truly and sincerely acknowledge . . . that our Sovereign lord King James is lawful and rightful King . . . and that the Pope has not any power to depose the King . . . or to authorize any foreign prince to invade him, &c. Also, I do swear that notwithstanding any sentence of excommunication or deprivation I will bear allegiance and true faith to his Majesty . . . And I do further swear that I do from my heart abhor, detest and abjure as impious and heretical this damnable doctrine and position, that princes which be excommunicated by the Pope may be deposed or murdered by . . . anyone whatsoever. . . .

The oath was a studied insult to the Holy See, and was very properly condemned at Rome. A few Catholics, notwithstanding, thought they might accept it, interpreting it liberally. The Jesuits as a body and the great majority of the clergy saw the mischief in it and resolutely refused it. The refusal involved not the death-penalty, but 'praemunire', which included forfeiture of all property and imprisonment for life. Over and over again in the martyrdoms of the next two reigns we read of the offer of life and liberty being made, even to those condemned for treason, on the sole condition of taking the oath—and refused.

Among the first of these oath of allegiance martyrs is Father THOMAS GARNET, nephew to Father Henry, by whom he was admitted into the Society. He was the son of a sturdy recusant father living in Southwark. When in 1592 Father Persons founded the new College for English boys at St. Omers, young Thomas, then a lad of 16, was one of the first seven students. Three years later, with five of his school-fellows, he started for the newly opened seminary of Valladolid; he only reached his destination a year later, after a series of stirring adventures, which included a first taste of an English prison. In 1599 he was sent a priest to England. Arrested during the excitement which followed the Powder Plot, he was imprisoned; then, with a crowd of other priests, banished. He took advantage of his banishment to complete his two years noviceship in the Society at the English novitiate, begun that very year (1607) at Louvain; then returned to the Mission, with his life in his hands, and before the end of the year was again a prisoner in the Gatehouse. He was condemned for his priesthood and suffered the usual death at Tyburn, June 23rd, 1608, at the age of 33.

A letter now at Stonyhurst written by the Protestant chaplain at Newgate, who paid him a friendly visit on the morning of his death, records the impression made on the writer by his 'almost miraculous cheerfulness' and desire for death, and applies to him those words which B. Thomas More used on a like occasion, 'like a bridegroom going to his espousals.'¹

¹ Foley, *Records of the English Province*, II, p. 500. See *ibidem* the reports of Garnet's several examinations regarding the oath, pp. 483 *sqq.* But the account of the oath itself as given by Foley, p. 475, is very misleading.

Another letter, written shortly after the martyrdom by Garnet's late master of novices to Father Robert Persons at Rome, cannot be omitted here:

Reverend Father in Christ, Pax Christi—I send you now our first fruits of this little garden of St. John's, viz. the martyrdom of Father Thomas Garnet, our first novice, and the first which made his vows in our novitiate. The particulars I cannot relate, but I make no doubt but Father Baldwin will send them you. It is told us by those which came out of England that he behaved himself most constantly. And now, dear Father, you may consider what joy we have had here at St. John's for this so happy news, and what courage we receive to go forward in this our course begun, whose event we see so happy. Certainly, as it hath pleased Almighty God to bless our beginnings, so I hope he will continue; and that out of this little novitiate, which hath been begun with such difficulties and contradictions, I hope He will bring forth many Campions, many Southwells and many Garnets, who for His honour and glory and for defence of His holy Church and the authority of Peter and his successors, shall not be afraid to testify that faith which we have received of our forefathers, of the Apostles, of Christ Himself, and to sign the same with their own blood as this our happy Father, in times past our fellow but now a most glorious martyr and I hope our intercessor in heaven, hath done.

Yesterday we said the *Te Deum* in the Church with the prayer of thanksgiving, and I think there is none of us which would not be partakers, not only of his glory, but also of his death and passion. I am sorry we cannot relate the particular circumstances, but I hope you shall have them from Father Baldwin. And thus, my good Father, desiring your blessing, and that it would please you to remember us in your prayers and holy sacrifices, that we may better imitate the example of this glorious martyr, I take my leave this 18th day of July, 1608. From Louvain.

R.V. servus in Christo,

Thomas Talbot.

The letter is worth quoting, partly for the sidelight it throws on the character of that much misunderstood man, Robert Persons: it is not the sort of letter one would address to a coarse bully or to a political schemer; chiefly for the glimpse it gives us of the life and aspirations of those young recruits beyond the seas, preparing to take their turn on the battlefields of England.

Thomas Garnet was the protomartyr of his college, which then was St. Omers and to-day is Stonyhurst. Eighteen other names follow his, some Jesuits, some secular priests, on that glorious roll of honour. His sacred remains were secured by Catholics and long treasured, with those of other martyrs, at his old college, till they were finally lost at the French Revolution.

III. MARTYRS OF THE PURITAN PERSECUTION

With the accession of Charles I and his marriage to a Catholic Queen, the persecution changes its character. Henceforth it is not so much the King or the King's ministers who persecute, as the growing Protestant majority of the people bringing force to bear upon a government which they find too favourable to Popery. For nearly a quarter of a century, 1618 to 1641, there were only two executions for religion, those of one priest and one layman at the Lancaster assizes of August, 1628.

The priest, Father EDMUND ARROWSMITH, S.J., is one of the best known among the martyrs, especially in his own county of Lancaster. Born of good Catholic parents at Haydock, near St. Helens, he was ordained priest at Douai, and returned to the mission in 1613. For fifteen years he worked on the Lancashire mission, in the course of which he was admitted to the Society:

then, betrayed by a bad Catholic, he was tried and condemned for his priesthood. Everyone has heard of the many wonderful cures wrought by his 'holy hand' at Aston-in-Makerfield from that day to this.

There was no Parliament from 1629 to 1640. The meeting of the Long Parliament in November, 1640, was followed by a storm of bitter persecution, in which 23 priests and one layman died for the faith. Five of these were Jesuits: Fathers Thomas Holland, Ralph Corby, Henry Morse, Brian Cansfield and Peter Wright.

Father THOMAS HOLLAND was one of the Hollands of Sutton near Prescott in Lancashire, a junior branch of a distinguished family. He studied as a boy at St. Omers—afterwards at Valladolid. Then entering the Society in 1624, he won golden opinions as prefect at his old college; then for eight years served the English mission. He was condemned as a priest on the evidence of two wretched informers who had been his school-fellows at St. Omers, and suffered at Tyburn, December 12th, 1642, the proto-martyr of the Society's theologate at Liege.

Father RALPH CORBY was one of three Jesuit sons of Gerald Corby (or Corbington), a Durham man and a distinguished sufferer for his faith, who on his wife's death followed them into religion and died a saintly old lay-brother in the Society. Father Ralph was educated at St. Omers, Seville and Valladolid; whence he entered the Society in 1626. His apostleship was in the Durham district. He was caught in the act of vesting for Mass, and suffered at Tyburn with his friend and fellow labourer, the Venerable John Duckett, September 7th, 1643.

Father HENRY MORSE, a native of Norfolk, was a

convert and had studied law before he went to Douai and Rome to prepare for the priesthood. He was admitted to the Society while a priest on the mission, which he continued to serve for many years in London and elsewhere. In the plague of 1636-7 his heroic labours among the stricken, in which he was associated with the Venerable John Southworth, attracted the attention of the persecutors, and he was imprisoned as 'a most dangerous seducer who perverted no less than 560 persons in and about St. Giles's parish,' but was released by warrant from the King. Banished in 1641, he soon returned to the north, where he was again taken, tried and condemned as a priest and Jesuit, and gloriously martyred at Tyburn, February 1st, 1645.

Father BRIAN CANSFIELD, who died about this time of the cruel treatment he received in York prison, was a member of a distinguished Catholic family of Robert Hall in Lancashire. He also had studied at St. Omers and Rome before joining the Society in 1604. After long years on the mission in Lincolnshire and Lancashire, he too was seized at the altar.

Father PETER WRIGHT is an example of one who after a wild youth spent in the foreign wars recovered his lost faith and consecrated his manhood to God. He was born at Slipton in Northamptonshire. As a Jesuit his past experience enabled him to render good service as military chaplain to the Catholics serving the King in the Civil War. He was taken in 1651, while exercising his ministry at the house of that 'great royalist' and confessor, the Marquis of Winchester. His last journey to Tyburn, we are told, was like a triumphal procession, and there were some 20,000 persons gathered there to witness his martyrdom. (May 19th, 1651.)

IV. THE OATES' PLOT PERSECUTION

From 1654 to 1678 no martyrdoms are recorded. Then came that extraordinary outbreak of national frenzy which we know as the Oates' Plot persecution. There is no need to repeat here the history of the pretended plot. It will suffice to recall that it sent to the scaffold, or to a scarcely less cruel death in prison, between December, 1678, and July 1681 (some 30 months), no fewer than 35 priests and laymen. One of these, Blessed Oliver Plunkett, Archbishop of Armagh, has already been beatified; 24 are among our present Venerables; 10 among the *dilati*. Of these martyrdoms it is not surprising that the lion's share fell to the Society of Jesus, which naturally, in Oates' story, was at the bottom of the whole conspiracy. Their name was one best calculated to arouse the passions of the populace; and besides, Oates himself could claim to be tolerably well acquainted with them. For five months after his pretended conversion he had lived among them as a Church student at Valladolid. On his expulsion from there the provincial was weak enough to be overcome by his tears of repentance and give him a second chance (he was already a man of 28) as a sort of senior student among the boys of St. Omers. After another five months he was again expelled. Then he began the long tale of perjuries by which he swore away those five and thirty lives.

The death-roll for the year 1678-9 is unique in the history of the English province. Out of its total of 273 members, 26 had died during the year. Eight of these died *in patibulo propter fidem*, four others in prison, five others from the effects of their prison treatment. Nine of the province are recorded as still in prison.

The first two of these Jesuit victims were Father EDWARD MICO and Father THOMAS BEDINGFIELD, who both died under the hardship of their imprisonment in December, 1678. The former was 'socius' to the Provincial, Father Whitbread, himself destined to follow him a few months later; the latter, whose true name was Downes, had been chaplain to the Duke of York and rector of the London district.

Early the next year Father FRANCIS NEVILL (*vere* Cotton), an old man of 84, who had been 63 years in religion, and spent 57 of them on the English mission, died at Stafford of the rough treatment he received from his captors.

The next victim was Father WILLIAM IRELAND, who, though born in Lincolnshire, seems to have belonged to a Staffordshire family of Iremongers. He was procurator of the province, and had charge of the provincial papers, which, it was thought, must yield important evidence against the Jesuits. They proved disappointing; but Oates and Bedloe found no difficulty in providing matter enough to condemn the Father, who with his servant Henry Grove was executed at Tyburn on January 24th.

In June took place the sensational trial before Lord Chief Justice Scroggs, of no less than five Jesuits together: Father THOMAS WHITBREAD (the provincial); Father WILLIAM HARCOURT (*vere* Barrow—he was in his 70th year and had served the London mission for 33 years), Father JOHN FENWICK (*vere* Caldwell, procurator of St. Omers College), Father JOHN GAVAN (a Londoner by birth and on the Staffordshire mission), and Father ANTHONY TURNER (a Cambridge man and a convert, for many years missionary at Worcester). All five were found guilty of conspiracy, and hanged, drawn and

quartered at Tyburn on June 20th. Their bodies were laid, and still lie, somewhere in the churchyard of St. Giles-in-the-Fields.

With them was tried and condemned RICHARD LANGHORNE, barrister, a not unworthy counterpart at the close of the century and a half of persecution of the great lawyer who had laid down his life at its beginning. What manner of man he really was appears from some of his devotional writings, which were published after his death, and reveal the soul of a saint; but he was the Jesuits' lawyer, and therefore surely had a hand in the plot. Never was lawyer's service better paid than that for which he received the crown of martyrdom.

But by this time, Oates and his plot were beginning to lose favour. The last two Jesuit martyrs were condemned, not for conspiracy, but under the old statute of 27 Elizabeth, which had done such good service for nearly a century, simply as priests. These were the two Welshmen, Father PHILIP EVANS, one of the two Cardiff martyrs of July 22nd, and Father DAVID LEWIS, who suffered a month later at Usk.

Evans, who at his death was a young man of 34, might well be chosen as the patron saint of those that play—whether games or music. He was a harpist, having doubtless learned the art at his college at St. Omers, where they made much account of music. After his condemnation, there had been some delay about the execution, and it was thought he would be reprieved, when orders came unexpectedly that he must prepare to die on the morrow. The messenger found him in the prison-yard, engrossed in a game—was it bowls or skittles?—with some of his fellow-prisoners. He received the tidings with a smile. 'No hurry; let's first

play out our game.' And when after the game he returned to his cell, 'he could scarce contain himself for joy,' writes his old biographer, 'which he expressed as well by taking up his harp (for he was a musician) and playing on it, as by other tokens of a soul transported with the thought of the happiness so near at hand of dying for his faith and priesthood.'

Father DAVID LEWIS (*alias* Charles Baker) was an older man and a convert, and had been a Jesuit for 36 years, and spent over 30 of them as an apostle among the poor in South Wales; a man whose kind-hearted compassion had won for him the name of 'father of the poor.' He was betrayed by an apostate and carried off to prison when about to say Mass at Llantarnam. The full story of his imprisonment and trial, told by himself, may be read in Foley's *Records* (Vol. V, p. 917), as also the full text of his last speech. He was found guilty of and condemned for the crime of being a priest. A plain stone slab in the churchyard of the little church of Usk marks the place where his sacred remains lie buried. Every year, on the anniversary of his death, August 27th, you will find it covered with flowers.

Besides the above 33 of her own sons who were martyred, the Society naturally takes a special interest in those others—mostly secular priests—who had been trained in the colleges under her charge. St. Omers, as we have seen, claimed 20; the Venerable English College at Rome, 44; St. Alban's Seminary, Valladolid, 24; and the small seminary at Seville, 6.

XIV

MARTYRS OF THE LAITY

A.D. 1535—1680

By JOSEPH CLAYTON, F.R.Hist.S.

THE period of the persecution is the same for the laity as for the clergy. Blessed Thomas More, the first, as he is the chiefest of the martyrs of the laity, follows the Carthusians in 1535. The Venerable William Howard closes the list in 1680, anticipating the martyrdom of Blessed Oliver Plunket by some few months. In number the laity, men and women, are less than a third of the total. If we cannot fix the exact number we may be content to respect the common agreement: 83 names from the accession of Elizabeth and four in the reign of her father.

In addition to Blessed Thomas More, the lay martyrs under Henry are but three: Blessed Margaret Pole (first of three Margarets to die for the faith), and the Venerable Clement Philpot and Thomas Ashby. Why are there no more? Because Englishmen need leaders before they will rise. The majority of people, then as now, are of necessity more concerned with earning their living than with religion. It is not difficult to account for the clergy outnumbering the laity on the martyrs' roll, outnumbering them by more than two to one. Henry's victims were in the main important persons, and the important people in England generally sided with the King in what they took to be a quarrel of

Pope and King. Besides, the ample spoils of the religious orders were to laymen a very convincing argument that the King was in the right. The notables, then, clerical and lay, were 'King's men'; the lesser people were not invited to express an opinion. But Margaret, Countess of Salisbury, was of royal blood, and the mother of Cardinal Pole. Otherwise her adherence to the Papal supremacy might have been passed unnoticed. To the King it was the blackest ingratitude that the Pole family were not on his side. Had he not created the widowed daughter of the Duke of Clarence, Countess of Salisbury, and reversed her husband's attainder? Her son Reginald Pole, who had dared to publish *De Unitate*, stood firm for the Papacy, but was beyond the reach of the King. Her eldest son, Lord Montague, and her grandson could be put to death. Finally, the Countess herself, 70 years old—the last of the Plantagenets—could be condemned for treason—it was treason to disagree from the King's will—and after three years' imprisonment be sent to die on Tower Hill. Her tunic, embroidered with the Five Wounds, convicted her of sympathy with the Pilgrimage of Grace.

When we come to the second period—the Elizabethan persecution—the layman, not the priest, is the first to die for the faith. Blessed Cuthbert Mayne, proto-martyr of the clergy, suffered in 1577. Blessed John Felton, fearless citizen of London, was slain in 1570; Dr. John Storey was entrapped in exile in Flanders and brought home to be martyred in 1571. Percy, Earl of Northumberland, went to the scaffold in 1572.

In the case of Felton the offence is well known. It was he who published a copy of the bull of Pope Pius V, excommunicating the Queen, on the door of the

Bishop of London's house; a daring, but not in itself seditious proceeding. As a denial of the royal supremacy it was found treasonable. The Act of Parliament declaring it high treason to declare the Queen a heretic, or to bring in bulls from Rome was not passed till the following year. That very able Anglican historian, Dr. Creighton, is content to say that 'Felton paid with his life for his rash act.'¹ Had John Felton disavowed the authority of the Pope, taken the oath of royal supremacy, and promised to attend the Church of England service, he would, of course, have been pardoned. As he would by no means be persuaded to turn Protestant he was executed for a traitor and is held a martyr. (But Elizabeth licensed a Catholic priest to minister to his widow, a former maid-in-waiting to the Queen.)

Similarly with Earl Percy. Had he accepted the pardon offered to him if he would renounce his allegiance as a Catholic to the Pope, take the oath of royal supremacy and join the Church of England, he need not have died at York. Refusing his life on these terms he is counted a martyr. This is not to say that the rising in the north—the one and only armed rising under Elizabeth in defence of the old religion—was not treason. An armed rising against the Crown, unless it is successful, is always treason; when successful, it is patriotism. Protestants have never admitted it to be treason, the successful conspiracy and deposition of James II with the bringing in a Dutch Calvinist to rule over England; neither have they thought it treason, the exclusion of the legitimate heir to the throne and the making a German Lutheran from Brunswick, King of England.

As for Dr. John Storey, there is not sufficient evidence

¹ *The Age of Elizabeth*, p. 105.

that his activities in Belgium included conspiracy against the Crown. That he was exceedingly active in the propaganda of Catholic literature, and was quite justly reckoned an irreconcilable opponent of the Church of England, a danger to the establishment, is true. A Protestant England was intolerable to John Storey. (Perhaps the more because he had taken the oath in 1544, as a 'King's man,' in supporting Henry's supremacy.) He had abandoned his English citizenship and become a subject of Spain for the sake of serving the 'old religion' of his native land. And Philip of Spain left him to die, without remonstrance. Of so much account to Philip was the bull of St. Pius. Each of these three men—John Felton, Earl Percy, and John Storey—had endured the first ten years of Elizabeth's reign, the years when Catholics were left without priests and the new religion was imposed on the land; the years when no help came from the Catholic powers, because the kings of France and Spain stood in mortal jealousy of each other. Earl Percy, when he called the men of the north to arms, believed that help would come; he also believed that Englishmen everywhere cared as much for their faith as he did. He was wrong. On no account would Philip of Spain risk a war. The bulk of the people at home, then as always, does not consist of martyrs. Earl Percy struck his blow, in the only way it seemed clear to him to save England and died for his faith.¹

So with John Felton. He at least would make it plain to all London—and London was the very centre of English Protestantism—that this new-fangled religion

¹ But he had good grounds for the appeal to arms. The Earl of Sussex, Elizabeth's commander, wrote to the Queen that 'there were not ten gentlemen in Yorkshire that did approve her proceedings in the cause of religion.'

was heretical and the Queen a heretic. What more could he do?

They were, after all, Englishmen, these three, and each in his own way bore witness to the old faith of Englishmen. With the bishops in prison, the clergy generally conforming, the priests of Mary's reign dying out, and none taking their place; with Calvinism rampant and Catholicism proscribed, it is the laity, in the persons of Blessed John Felton, John Storey, and Percy, Earl of Northumberland, who stand out as the first to die under Elizabeth. Many more—at least 500—unknown and forgotten, were executed after the rising in the north. In honouring their leader we honour the men who strove with him to restore the faith. They loved their religion enough to fight for it and to die for it. Lord Burleigh had preferred to conform under Mary than to suffer any inconvenience for the sake of Protestantism.

Ten years elapse before the laity are again called to martyrdom. From the passing of the Act of 1581, making it high treason to reconcile or convert to the Catholic faith, and increasingly after the deadly Act of 1585 (Elizabeth 27), which declared the presence of Jesuits and seminary priests ordained abroad 'treason,' and the harbouring of priests felony, till the end of Elizabeth's reign each year had its martyrs of the laity. (And here it may be noted that in Green's popular, and deservedly popular, *Short History* we have the really amazing statement 'No layman was brought to the bar or to the block under its provisions'; the provisions, that is, of the laws of 1581 and 1585. 'The work of bloodshed was reserved wholly for priests,' Green adds. The mentality of the Anglican historian, even of so honest and truthful a writer as John Richard

Green, is a problem for the psychologist.) In the years 1596 and 1599 the martyrs were exclusively of the laity.

More than 60 men and women were put to death under these Acts of Parliament. They died for their faith and for nothing else. They refused the Protestant worship offered as an alternative to death; and many there were besides who died in prison. Twice as many priests were slain in the same period, for the main purpose of the persecution was to root up and destroy the practice of the Catholic religion; in especial the Mass. To get rid of the Mass was to get rid of Catholicism. Without the Mass, deprived of the sacraments, the faith of the laity would inevitably—so Elizabeth, her councillors and bishops, Calvinists now for the most part, but Catholics once, argued—languish and become extinct. The success achieved in the ten years—1560–70—in turning the English people from the 'old religion' by simply forbidding Mass to be said and ordering attendance at the Protestant service in the parish church justified the assurance that, left to itself, England would pass from Catholicism, as the Scandinavian countries had passed. The coming of the priests from Douai, Rheims and Rome, seminary priests and Jesuits, challenged the policy of Elizabeth and her ministers; it saved for the remnant the faith of their fathers; it recovered waverers, reconciled the lapsed, and revealed to a generation, growing up in Protestantism, truth and beauty in religion that made converts. Above all it gave the lie to the doctrine of Protestants, that a Christian Church made by men and established by state authority was sufficient; it challenged constantly the political dogma of an absolute State empowered to order a national Church.

Elizabeth and her councillors were content that

Catholicism should quietly perish in England; were content to wait till forgetfulness of the 'old religion' had overtaken the people. They relied on the very genuine and sincere attachment to the parish church. After all, the English people, a traditionally religious people, since they could no longer hear Mass, since all the old landmarks of the Christian year—the ceremonies of Christmas and Candlemas, of Ash Wednesday, Palm Sunday and Good Friday had been abolished in the new Church of England—since all medieval devotions to Our Lady and the saints, all the processions in honour of Corpus Christi, all worship of the Sacred Host, were gone—would grow accustomed to the Protestant service. The parish church remained. Its altar had been removed by authority; the new Church of England, having no Mass, had no need of altars, a decent table sufficed. Its images and shrines had been smashed, its wealth of ornament snatched up by Protestant plunderers in high places; but it was still, for all its bareness, the parish church. The sanctuary had been defiled, the shrine was empty but the country people (England was rural, not a big collection of towns and cities) would never forget that it had once been the centre of their worship; that before its altars, now removed, the altar stone as likely as not left broken to pieces in the churchyard, they had once plighted their troth and 'for better for worse, in sickness and in health, for richer for poorer, till death us do part' had vowed themselves for life in the oldest religious vocation of mankind; that at the font—now commonly a receptacle for any old rubbish—their babies had been baptized, that in the churchyard where their fathers were buried they would come to lie. Cecil could count on all this affection in his business of

uprooting Catholicism. For the first ten years of Elizabeth, then, the Protestant policy had been successful. It might seem well that the Catholics of England were forsaken by the Pope, and forgotten by their co-religionists of France and Spain. There was no need for persecution.

The coming of the missionary priests saved the situation and, following the excommunication of Elizabeth, brought on persecution. The 60 men and women, whom we are permitted to call venerable, whom we may hope to see beatified, the martyrs of the last twenty years of Elizabeth's reign (1583-1603), suffered death for their love of the Mass, their loyalty to the Catholic faith, their active assistance to the priests on the English mission. In no single case, as far as I am aware, were they mixed up with politics or involved in any of the conspiracies and plots for the restoration of Catholicism; conspiracies and plots not discouraged by Cecil and Walsingham, and in every case well-known to the government. From all over England they come—these martyrs of the laity—and from various walks of life. Youth goes gaily to the scaffold, and the tread of the old is firm as it mounts the ladder.

Blessed Thomas Sherwood was but twenty-seven when journeyed to Tyburn in 1578. He had endured the worst that the torturers could do; racked and left to starve for months—'Son Roper' of Blessed Thomas More endeavoured to bring him food. Not learned was Thomas Sherwood, but he hoped to become a priest, and he came of stout Catholic parents; his father had left Oxford rather than take the oath of royal supremacy, his mother was to die in prison after 14 years imprisonment. Nothing would make Sherwood admit that

Elizabeth, and not the Pope, was the head of the Church, no torture would drag from him a word of the place where Mass was said in London, of the priest who said it.

Steadily the red rain falls at Tyburn as the martyrs of the laity pass with the martyr-priests; and with felons, thieves, robbers, vagrom men, their companions, to whom the priests minister, and from time to time bring to a penitent's death.

We identify William Carter (1584)—courageous and indefatigable printer of Catholic books. Often imprisoned, no charge could be brought against him save that he had instigated the murder of the Queen by printing a *Treatise on Schism*, which contained an allusion to Holofernes and Judith. He was known to be the trusted friend of priests, to have a press for printing Catholic literature (though this was not a crime at law); no layman could do more for the faith.

Sturdy serving men, John Mason and Sydney Hodson (1591); by sheer strength of good right arm they kept Topcliffe from entering the house of Swithun Wells in Grays Inn Lane, where Father Gennings was saying Mass, and for their loyalty must needs be put to death. The master of the house, a Hampshire man, was not taken to Tyburn, but was hanged at his own gate; his widow carried to Newgate and kept there; to die in the same place ten years later. Typical of the martyred laity is the Venerable Swithun Wells. Country bred, approaching sixty, between his house and the scaffold, at sight of an old acquaintance he recalls old days: 'Farewell, dear friend; farewell, all hawking, hunting and pastimes, I go a better way.' And then he lost his temper at the insolences of Topcliffe, but recovered it, and apologised and so passed steadfastly to his reward.

Two of the three women martyred under Elizabeth died at Tyburn. Margaret Ward (1588), risked her life, and knew that she risked it, when she took the rope hidden in a basket that enabled that somewhat eccentric Father Watson to escape from Bridewell. Impossible was it for Margaret Ward to deny that she succoured where she compassionated; equally impossible to express regret for her act, or to promise attendance at Protestant services. Torture and scourging could not break her will, though it left her paralysed and crippled. She journeys to Tyburn tree; and with Margaret Ward, a young Irish waterman, John Roche, who had helped her to get the priest away, is martyred.

Mistress Anne Line, a convert (1601), carried on the good work of harbouring priests and providing a place for Mass to be said for many years after her husband's death. 'I wish with all my heart and soul that where I have entertained one I could have entertained a thousand,' this valiant woman told the crowd at Tyburn: 'I am sentenced to death for harbouring a Catholic priest, and am far from repenting for having so done.'

One more of the twenty lay martyrs of Tyburn may be noted. James Duckett (1602), the bookseller and printer; a north countryman from Westmoreland. Nine years of his married life were spent in prison. Several times was he imprisoned for refusing to go to the Anglican service. Finally, he was betrayed by a friend, a Protestant bookbinder, and sent to death for printing Catholic literature. His betrayer was also condemned, though on what charge we know not, and suffered on the same day. On the journey from Newgate to Tyburn, Mistress Duckett procured a pint of wine for her husband, and James Duckett pledged the health of

the man who had betrayed him and gave his forgiveness freely. Tyburn is for-ever sacred ground.

We can but glance at certain other places in London sanctified by the blood of the martyrs of the laity. Smithfield, where that most earnest old man, Nicholas Horner (1590), the tailor from Yorkshire, was hanged outside his own door 'because he had made a jerkin for a priest.' (A man of marvellous endurance the Venerable Nicholas Horner; his leg was amputated when he lay in Newgate, on the charge of harbouring priests, and he sat unbound while the operation was performed.)

Alexander Blake, hostler of Gray's Inn, was also hanged on the same day as Nicholas Horner; but in Fleet Street, with Father Bales, the priest whom Blake had helped.

John Rigby, who came of a good Lancashire family, suffered at St. Thomas Watering, in the Old Kent Road (1600) for the treason of being reconciled to the old faith. He was thirty, and of gentle bearing. The captain of the escort that accompanied John Rigby to the scaffold greatly wondered at his chastity when the martyr mentioned that was he not only a bachelor, but still a maid.

From all ranks come these English martyrs of the laity, and from all parts of the land. The 'English martyrs' we call them, but some are Irish and others Welsh.

John Carey and Patrick Salmon, servants of the Arundel family at Chidcock in Dorset, were Dublin men both. They were hanged at Dorchester with Father Cornelius (1594), and with them also died the stout Cornish squire, Thomas Bosgrave, who would not see the priest bareheaded, and covered him with his own hat;

proof plain that he was a traitor, Squire Bosgrave, the friend of priests. So Dorchester belongs to the martyrs. It is probable that the literary associations of that ancient Wessex town will be forgotten as literary estimates change; but Dorchester must remain a place of pilgrimage for Catholics while ever Mass is said in England. It has yet another martyr, William Pike (1591), a joiner, who came from Moordown, in Hampshire, then a country hamlet, on the Dorset borders, as it was forty years ago; but now part of Bournemouth.

James Dowdall, a merchant, who was martyred at Exeter (1599), was also an Irishman—of whom we know but little save that he died for his religion.

There are at least three Welshmen on the roll of the English martyrs of the laity. (1) Richard White (1584), first of the martyrs of Wales, hanged at Wrexham after some years of imprisonment. (2) Flower (or Lloyd) (1588), of an Anglesey Catholic family, but a youth of twenty-two when he was sent to Tyburn for harbouring priests. (3) Robert Price, who, after the sack of Lincoln in 1644, being asked point blank by a Cromwellian soldier if he was Price the Papist, admitted that he was Price and a Roman Catholic, and was immediately shot dead. This last is an exceptional case. Conversion, reconciliation, or the harbouring of a priest is the usual charge, treason or felony the common formula. The Cromwellian soldier brushed aside the Elizabethan hypocrisies and inflicted a quicker death.

Next to Tyburn comes York with its seventeen martyrs. The Venerable Margaret Clitheroe (1586), pressed to death at thirty, rather than plead and involve her family in ruin, an ardent convert, is the most memorable, 'This way to heaven is as short as any

other,' was her reply to the sentence. There are others we must name: country gentlemen, Richard Langley (1586), whose daughter was left to die in prison; Marmaduke Bowes, the first layman to die under the Act of 1585; George Errington, William Abbot (1596); John Britton and Ralph Grimston (1598); Thomas Watkinson (1591), a solitary in the East Riding, and old, who befriended the missionary priests. Yeomen of Yorkshire, and serving men—as loyal to their faith as to their masters—are included.

Lancashire with its many families staunch in the 'old religion' sent its martyrs to Lancaster; yeoman John Finch (1584) and Laurence Bailey (1604), the latter giving his life in the rescue of a priest. At Gloucester, suffered a poor man, a glover, the Venerable William Lampley (1588), who was not to be persuaded that he did wrong in reconciling his neighbours to the Catholic faith. Canterbury, had its martyred Robert Widmerpool, once an Oxford tutor (1588). Durham, Oakham, Exeter—all are consecrated to the martyrs of the laity in the years of the Elizabethan persecution.

Winchester—famous for the martyrdom of John Slade, (1583), a Dorset man untiring in his efforts to keep the faith alive and therefore hanged and quartered for a traitor; his friend John Body, an old Wykehamist and New College, Oxford, man—who strove with the judge concerning the authority of Constantine at the Council of Nicæa—suffering a like fate at Andover. The Barditch at Winchester saw a second martyrdom (1591) when that gentle old labourer, Ralph Miller, ignorant of letters, but with a heart aflame for God and the saving of souls, was hanged. In vain they tried to tempt the old man to recant by showing him his eight

children; he could not apostatize, and went bravely to the scaffold, the trusted guide of more than one priest. *Quibus dignus non erat mundus.*

We may recall the third of the Winchester martyrs—Laurence Humphrey (1593), a convert, who was but twenty, when he was condemned. To the terrible sentence of the judge, Laurence answered ‘and all this’—the hanging and quartering—‘is but one thing—death.’ It was at Winchester when Miller was sentenced, that a number of valiant young women avowed themselves Catholics and would cheerfully have died. They were sent to prison; Elizabethan chivalry preferred the execution of matrons.

At Oxford (1589), Thomas Belson, a Catholic gentleman of Brill in Buckinghamshire and an honest servant, Humphrey Prichard, were martyred for their hospitality to priests.

The persecution is relaxed after the death of Elizabeth but the laity still had its martyrs in the first two years of James I. At Warwick, Robert Grissold (1604), was sent to the scaffold, with Father Sugar, condemned as a traitor, though the judge’s words show the real ground: ‘Grissold, go to church, or else, God judge me, thou shalt be hanged.’ But Robert Grissold would not go to church and so was hanged.

Vengeance for Gunpowder Plot claimed victims, and two, Thomas Welbourne, and John Fulthering were slain at York, and one, William Brown (1605), at Ripon. Not that it was even suggested these three Catholic layman had any connection with the plot. They were hanged under the statute of Elizabeth for assisting at the conversion of Protestants.

Two isolated martyrdoms of the laity are all that

distinguish the later years of James I and the reign of Charles I. Robert Wrenno, a simple man, a weaver from Chorley, in Lancashire, died at Lancaster (1616), because he had been reconciled to the faith, and had assisted priests. He was offered a pardon if he would take the oath drawn up by James I for the repudiation of the Pope, but chose rather to die.

Twelve years later (1628), Richard Herst, a Lancashire farmer, a well-known recusant, was actually sentenced for the murder of a pursuivant for whose death Herst was in no way responsible. Again, pardon was offered if he would but take the oath. He had six children, but nothing could induce him to surrender.

From that year to the panic of the Titus Oates' plot there are no martyrs of the laity—save the one already mentioned: Robert Price, slain at Lincoln by the Cromwellian soldiers.

Four laymen were martyred when judges and juries condemned Catholics to death, on the perjury of Oates and his fellow conspirators, under a king who was to die a Catholic.

Edward Coleman (1678), convert, a Cambridge, man, and secretary to the Duchess of York, was the first. His letters, so full of hopeful enthusiasm for the conversion of England, were judged and declared to be evidence of a plot. The wildest nonsense and most contradictory false witness was accepted against him; evidence of plotting there was none. He was martyred at Tyburn in the panic which politicians, Shaftesbury in especial—a guiltier man than Oates—deliberately fostered.¹

¹ Coleman's correspondence reveals an astonishing hopefulness for the conversion of England. His letters are comparable with Guild of Ransom notes in our own day, yet Prof. G. M. Trevelyan in his *History of England* finds that Coleman's letters 'discuss plans for the forcible conversion of England!' Forcible!

Two more died at Tyburn the following year. John Grove suffered with Father Ireland, the Jesuit, knowing nothing of plots, either priest or layman, but caring greatly for the faith they served. Six months later Richard Langhorne, a lawyer of the Inner Temple, a marked man amongst London Catholics, who had been offered heavy bribes to change his religion and urged to acknowledge the plot, was martyred. He, too, knew nothing of the plot—that plot which was so foully invented by Oates and the scoundrels whom Shaftesbury used. One more victim of the laity in this orgy of hate and bloodshed, and the list is ended.

William Howard, Viscount Stafford, grandson of that Venerable Philip Howard, who for his faith and in the malice of Elizabeth had spent eleven weary years in the Tower till death brought him release, and uncle of the Dominican cardinal, Philip Howard, was brought out to die on Tower Hill (1680). To suppose that Stafford had plotted to assassinate the king and bring over foreign troops to establish Catholicism was as preposterous as it was in the cases of Edward Coleman, John Grove, and Richard Langhorne. Nevertheless he was condemned, and dying by the axe on Tower Hill, is the last of the martyrs of the laity.

We have but named a few of the men and women who gave their life directly; chiefly they fell in the Elizabethan persecution. Always the government declared that in cleaving to the old religion the martyrs were traitors. Others there were, women in especial, who died in prison, besides Philip Howard, Earl of Arundel. One layman, at least, John Jetter (1585), died of the torture in prison.

To their judges, the martyrs were criminals, since the law declared all to be felons who harboured priests or

served Mass or helped to convert others to Catholicism. To the average worldly man the martyrs were fools and fanatics. What did it matter what church one went to? One religion was as good as another.

We see it now, this passion of our English martyrs as part of the everlasting struggle between the forces of good and evil for possession of the souls of men and nations. The contrast in character between the martyrs and their persecutors is as sharp, as plain to all, as the contrast of black and white. We have but to compare Thomas More with Thomas Cromwell, Topcliffe with Swithun Wells, Cecil with Philip Howard, Edward Coleman with Titus Oates. It struck many at the time—the courage, patience, and goodwill of the martyrs, and no less, the foul savagery of those who slew them. It strikes us still to-day—this contrast. In all times of persecution it may be noted.

For the laity the training for martyrdom was not in the seminary, but in the discipline, the everyday discipline, of family life and the practice of prayer and charity. The English martyrs of the laity were neither wild enthusiasts nor fanatics; still less were they political conspirators. But all were men and women of great goodwill, lovers of England and of the old religion of England. They were not the victims of sudden massacre, they carried their lives in their hands and knew at any hour they might be called upon to die. The home was the seminary for the training of lay martyrs.

The spirit of persecution is always at work in the world, now in one land now in another. For Catholics the battle for freedom to practice our religion is never done, nor is the field ever quiet.

INDEX

- ABBOT**, 122; of Westminster, 254; (*See* English Martyrs)
Acts, of Convocation, 104; of Parliament, under Henry VIII, 106-110; under Elizabeth, 169, 171, 177, 186, 202, 292, 300. under James I, 277, 278
Allegiance (*see* Oath)
Allen, Cardinal, 192, 203, 236, 242, 269, 270
Annates, Act, 106, 107, 110
Apostates, 245, 278
Appeals, Restraint of, 106

BACON, Sir Nicholas, 168
Beatification, Processes of, 43-76
Beatus, Cultus of, 52, 53
Benedictine English-Congregation, 125, 255, 257, 263; Martyrs, 249-267
Bishops, 26, 121; In feudal times, 30, 31; At Council of Constance, 122; Under Henry VIII, 104, 106, 121, 122, 233; Under Elizabeth, 165, 170, 173, 175
Boleyn, Anne, 14, 88, 89, 103, 106, 107
Bonner, Bishop of London, 145, 148-168 (note)
Book of Common Prayer, 161, 173, 174, 176, 184
Bouge, Fr. John, 78
Bourne, Carninal, 70, 72
Bridgett, Fr., 77, 87, 90
Buckley, Fr., O.S.B., 257
Burleigh (*see* Cecil)

CAMBRIDGE, 77
Camm, Dom Bede, O.S.B., 250, 255

Campion (*see* English Martyrs)
Canonization, Definition of, 43; History of, 44; Process of, 43-76; Persons involved in, 46, 47; Procedure, 48
Canon Law, study of prohibited, 105
Cecil, William, Lord Burleigh, 14, 157, 161, 174, 175, 178, 182, 205, 292
Challoner, Bishop, 58, 61, 241, 262, 263, 264
Chauncey, Dom Maurice, 64, 242
Chicheley, Archbishop, 113
Church and State, 99, 122, 188-190; Jewish, Pagan and Early Christian idea, 19; Relation of, in Middle Ages, 19-42
Church of England, established, 109, 110, 170, 184; Property of, 125
Civil Government, necessity for, 22; Divine authority of, 24, 26, 30, 37
Clerics, trial of, 33, 42; Unpopularity of, 143
Clerk, Bishop of Bath, 104
College, Douai, 192, 222, 236, 237, 270, 281; English, Rome 65, 66, 132, 236, 237, 240, 254, 255, 287; Old Hall, 237; St. Omers, 279, 281, 282-284, 287; Seville, 282, 287, Stonyhurst, 279, 281; Ushaw, 237, 247; Valladolid, 236, 237, 255, 279, 282, 284, 287
Congregation, Sacred, of Rites, 46 *seq.*; and English Martyrs, 57, 59, 61, 64, 66, 131
Convocation, under Henry VIII, 101, 102, 104, 109; under Elizabeth, 167, 183

Council, of Carthage, 44; of Constance, 112, 122; of Florence, 85, 122; Trent, 182
Cranmer, Archbishop, 5, 88, 89, 103, 107, 109, 116, 149-151
Cromwell, Thomas, 84, 89, 103, 115, 251-253

DECREES for process of canonization, 49, 51, 52, 54, 67, 74, 75, 131, 132

Device for the Alteration of Religion, 160-185

Devil's Advocate, 47-49, 64-66

Died in Prison, Fr. Thomas Ackrick, O.S.F., 215; Fr. Paul Atkinson, 228; Fr. Laurence Collier, O.S.F., 215; Fr. Walter Colman, 223, 226; Fr. John Baptist Dowdal, O.S.F., 219, 220; Fr. Germanus Holmes, 228; John Jetter, 303
Dilati, 249, 262, 268, 277, 284.

ELIZABETH, Queen, 124, 130; Character, 157; Foreign Policy 177; Religious policy, 153, 158, 164-7, 172, 179, 183, 191, 192, 204, 293, 294

Elizabeth Barton, 214

Elstow, Friar, 214

Emperor and Church, 21, 26, 27, 34 *seq.*

English Martyrs, 42, 131; True Patriots, 116; Characteristics, 223, 230; Cause, 55-76; Process of 1643, 56, 57; Westminster Synod (1859), 59; Process of 1874, 62; Process of 1888-9, 69; Apostolic Process, (1923-6), 70

Abel, Ven. Thomas, 233; Abbot, Ven. William, 300; Almond, Ven. John, 247; Amias, Ven. John, 239; Anderton, Ven. Robert, 247; Arrowsmith, Ven. Edmund, S.J., 264; 281, 282; Ashby, Ven. Thomas, 288; Ashley, Ven. Ralph, S. J., 275, 277

Bailey, Ven. Laurence, 300; Bales, Ven. Christopher, 298; Barkworth, Ven. Mark, O.S.B., 249, 255, 256, 274; Barlow, Ven. Ambrose, O.S.B., 249, 264; Beche, B. John, Abbot of Colchester, 67, 68, 132, 249, 250-254; Bedingfield, Ven. Thomas, S.J., 285; Belchiam, Ven. Thomas, O.S.F., 214; Bell, Ven. Arthur (Francis), O.S.F., 56, 57, 223, 225; Bell, Ven. James, 235; Belson, Ven. Thomas, 301; Blake, Ven. Alexander, 298; Body, Ven. John, 300; Bosgrave, Ven. Thomas, 298; Boste, Ven. John, 246; 248; Bowes, Ven. Marmaduke, 300; Briant, B. Alexander, S.J., 271; Britton, Ven. John, 300; Brorby, Ven. Anthony, O.S.F. 214; Buckley, Ven. John, O.S.F., 215; Bullaker, Ven. Thomas O.S.F., 223, 225; Buxton, Ven. Christopher, 240

Campion, B. Edmund, S. J., 5, 126, 149, 200, 203, 236, 240, 270-273; Cansfield, Ven. Brian, S.J., 282, 283; Carey, Ven. John, 298; Carter, Ven. William, 296; Clitheroe, Ven. Margaret, 274, 299; Corby, Ven. Ralph, S.J., 282; Coleman, Ven. Edward, 302; Cornelius, Ven. John, S. J., 273, 298; Cort (Covert), Ven. Thomas, O.S.F., 214; Cotnam, B. Thomas, S.J., 271; Crocket, Ven. Ralph, 244; Crow, Ven. Alexander, 238

Dean, Ven. William, 244; Dowdall, Ven. James, 299; Duckett, Ven. James, 282, 297

- Errington, Ven. George, 300;
 Evans, Ven. Philip, S.J.,
 286, 287; Eynon, B. William
 O.S.B., 68, 253
- Farrington (Cook), B. Hugh,
 Abbot of Reading, 68, 132,
 249-254; Felton, B. John,
 67, 289-292; Fenn, Ven.
 James, 239, 241; Fenwick,
 Ven. John, S.J., 285;
 Fetherston, Ven. Richard,
 233; Filcock, Ven. Roger,
 S.J., 256, 274; Finch, Ven.
 John, 300; Fisher (*see*
 Fisher); Flower, Ven. Rich-
 ard, 299; Forest, B. John,
 O.S.F., 214; Fortescue, B.
 Adrian, 68; Fulthering, Ven.
 John, 301
- Garlick, Ven. Nicholas, 239;
 Garnet, Ven. Thomas, S.J.,
 279-281; Gavan, Ven. John,
 S.J., 285; Gennings, Ven.
 Edmund, 221, 222, 246,
 296; Gervase, Ven. George,
 O.S.B., 249, 258, 259;
 Green, Ven. Hugh, 245;
 Grimston, Ven. Ralph, 300;
 Grissold, Ven. Robert, 301;
 Grove, Ven. Henry (John),
 285, 303
- Haile, B. John, 67, 233;
 Hambly, Ven. John, 244;
 Harcourt, Ven. William,
 S.J., 285; Heath, Ven.
 Henry, O.S.F., 223, 224,
 231; Hemerford, Ven.
 Thomas, 246; Herst, Ven.
 Richard, 302; Hodson, Ven.
 Sydney, 296; Holford, Ven.
 Thomas, 242; Holland, Ven.
 Thomas, 282; Horner, Ven.
 Nicholas, 298; Howard, Ven.
 William, Viscount Stafford,
 288, 303; Humphrey, Ven.
 Laurence, 301
- Ingleby, Ven. Francis, 239;
 Ingram, Ven. John, 239;
 Ireland, Ven. William, S.J.,
 285, 303
- James, Ven. Edward, 245;
 James, B. Roger, O.S.B.,
 68
- Kemble, Ven. John, 241
- Lacy, B. William, 240, 241;
 Lampley, Ven. William,
 300; Langhorne, Ven.
 Richard, 286, 303; Langley,
 Ven. Richard, 300; Larke,
 B. John, 234; Levison, Ven.
 Francis, O.S.F., 226, 227;
 Lewis, Ven. David, 286,
 287; Line, Ven. Anne, 256,
 274, 297; Lockwood, Ven.
 John, 241
- Mahoney, Ven. Charles, O.S.F.,
 226, 227; Marsden, Ven.
 William, 247; Mason, Ven.
 John, 296; Mayne, Cuthbert,
 236, 239, 289; Mico, Ven.
 Edward, S.J., 285; Middle-
 ton, Ven. Robert, S.J., 274;
 Miller, Ven. Ralph, 300;
 More (*see* More); Morse,
 Ven. Henry, S.J., 282, 283;
 Munden, Ven. John, 239.
- Nelson, B. John, S.J., 271;
 Nevill (Cotton), Ven.
 Francis, S.J., 285
- Ogilvie, Ven. John, S.J., 57,
 268; Oldcorne, Ven. Edward
 S.J., 275, 277; Owen, Ven.
 Nicholas, S.J., 276, 277.
- Page, Ven. Francis, S.J., 274;
 Payne, B. John, 245; Percy,
 B. Thomas, Earl of North-
 umberland, 68, 129, 134,
 140, 289-292; Philpot, Ven.
 Clement, 288; Pickering,
 Ven. Thomas, O.S.B., 249,
 266, 267; Pike, Ven. William
 299; Pilchard, Ven. Thomas
 245; Plumtree, B. Thomas,
 67, 134, 234; Plunkett, B.
 Oliver, Archbishop of Arm-
 agh, 73-75, 284, 288; Pole,
 B. Margaret, Countess of
 Salisbury, 67, 132, 134, 288,
 289; Pormort, Ven. Thomas
 245; Powell, Ven. Edward,

- 233; Powell, Ven. Philip, O.S.B., 249, 264-266; Price, Ven. Robert, 299, 302; Prichard, Ven. Humphrey, 301
- Reynolds, Ven. Thomas, 241, 265; Rigby, Ven. John, 298; Roberts, Ven. John, O.S.B., 249, 259-261; Robinson, Ven. John, 246, 247; Roche, Ven. John, 297; Roe, Ven. Alban, O.S.B., 249, 264, 265; Rugg, B. John, O.S.B., 68
- Salmon, Ven. Patrick, 298; Sandys, Ven. John, 245; Scott, Ven. Maurus, O.S.B., 249, 261; Sherwin, B. Ralph, 236, 245, 271; Sherwood, B. Thomas, 295; Simpson, Ven. Richard, 244; Slade, Ven. John, 300; Southwell, Ven. Robert, S.J., 273, 274; Southworth, Ven. John, 283; Storey, B. John, 67, 203, 289-292; Sugar, Ven. John, 246, 301
- Thirkeld, B. Richard, 239; Thorne, B. John, O.S.B., 68; Tunstal (Dyer), Ven. Thomas, O.S.B., 262, 263; Turner, Ven. Anthony, S.J., 285;
- Waire, Ven. John, O.S.F., 214; Wall, Ven. John, O.S.F., 226, 227; Walpole, Ven. Henry, S.J., 273, 274; Ward, Ven. Margaret, 297; Watkinson, Ven. Robert, 240; Watkinson, Ven. Thomas, 300; Welbourne, Ven. Thomas, 301; Wells, Ven. Swithin, 296; Whitaker, Ven. Thomas, 243, 244; Whitbread, Ven. Thomas, S.J., 285; White, Ven. Richard, 299; Whiting, B. Richard, Abbot of Glastonbury, 68, 122, 132, 133, 249-254; Widmerpool, Ven. Robert, 300; Wilcox, Ven. Robert, 240; Williams, Ven. Richard, 235; Woodcock, Ven. John, O.S.F., 223, 226; Woodhouse, B. Thomas S.J., 67, 234, 271; Wrenno, Ven. Robert, 302; Wright, Ven. Peter, S.J., 282, 283
- Erasmus, 79
- FERRAR, 149, 150
- Fisher, Bl. John, Bishop of Rochester, 42, 64, 75, 77-96; Connection with Cambridge, 77; Letter to Luther, 79, 83, 85; Views on Papacy, 85-87; Refuses Oath of Succession, 88, 108; Indictment, 90; Opposition to Parliament, 91, 100, 104, 106; Death, 92; Power of example, 95.
- Fitch, Fr. Benedict of Canfield, O.S.F., 215, 216
- Foxe's Book of Martyrs, 81, 148-150
- France, 177-179.
- Franciscan Martyrs in England, 212-232; Order established in England, 212; Observants and Conventuals, 212, 213; Recollets, 216, 220, 226; Capuchins, 215-221, 221, 231 (*see* English Martyrs)
- Frescoes of English Martyrs, 65, 66, 68, 132, 249, 254
- GARDINER, Bishop of Winchester, 122, 138, 145, 148, 149, 155
- Garnet, Fr. Henry, S.J., 17, 65, 275-7
- Gasquet, Cardinal, 249, 251
- Gennings, Fr. John, S.J., 216, 221-3
- Gerard, Fr. John, S.J., 275
- Good, Fr. William, S.J., 66, 132, 254
- Goodrich, 159
- Gresham, Sir Thomas, 158
- Gunpowder Plot (*see* Plot)

- HALL, Biographer of Fisher, 90, 92
 Henry I, 32
 Henry II, 11
 Henry III, 112
 Henry VI, 11
 Henry VIII, 14, 84, 88; Supreme Head of the Church, 87, 90, 102, 109, 129, 251; Marriage question, 89, 101, 106-108, 214, 233, 234;—and the Pope, 89, 105-9; — and Parliament, 98; Character, 115, 125; Policy, 191
- INVESTITURE, 31, 32, 42
- JESUITS, 193, 200, 205, 237; English Martyrs, 268-287; Act against, 186, 202-209, 292, 300
 Judges in process of Canonisation, 47, 56, 62, 71
- LAITY, Martyrs, 288-304
 Latimer, 149
 Leander, Fr., O.S.B., 263
 Legislative authority, 27
 Lindsay, Fr. Epiphanius, O.S.F., 229
 Luther, 79, 83-85, 109
- MANNING, Cardinal, 61, 62
 Martyr (*see* English)
 Martyrdom, Theology, of, 1-18
 Mary Stuart, Queen, 12, 69, 179
 Mary Tudor, Queen, 123, 124; Catholic restoration under, 137-155; Character, 140; policy, 145, 153, 154
 Mass, 4; Attacks on, 129, 130, 159, 165-168, 173, 187, 194, 201, 294, 296
 Mayhew, Fr., O.S.B., 257
 Miracles and Signs, 52, 54, 70, 282
 Monasteries, dissolution of, 110, 123, 251, 252; Lands of, 125, 129, 143
- More, B. Thomas, 42, 64, 66, 75, 77-96, 288; Treatment of heretics, 79-82; Views on Papacy, 84, 85, 94; Rejects Oath of Succession, 88, 108; Rejects Royal Supremacy, 92-94; Resigns Chancellorship 105; Attitude towards death, 151, 152; Power of example, 95, 234
 Morris, Fr. John, S.J., 58, 62, 63
- NOAILLES, 141
 Nobles at the Reformation, 123
 Notary in Process of Canonisation, 47, 63, 71
 Nugent, Fr. Francis, O.S.F., 216, 217
- OATES, Titus, 284 (*see* Plot)
 Oath, of Allegiance, 257, 258, 260, 261, 278, 279, 302; Coronation, 28, 29, 130; of Supremacy, 120, 122, 174, 175, 206, 291, 295
 Oglethorpe, Bishop of Carlisle, 165
- PAPAL Bulls, 30, 31, 101, 128; *Regnans in Excelsis*, 194, 208, 289; (*see* Decree)
 Parker, Archbishop, 175
 Parliament, issues 'Supplication,' 103; Under the Tudors, 98, 121; Under Elizabeth, 169; (*see* Reformation; Act)
 Parsons (Persons) Fr., S.J., 203, 236, 270, 271, 272 (note), 280, 281
 People, the, before Reformation, 119, 120; — and legislative authority, 27, 38; and Papal Supremacy, 111; resist new religion, 118-136 (*see* Laity)
 Persecution, Religious, Under Henry VIII, 79, 80-82, 130; under Mary, 139, 145, 147 *seq.*; Under Elizabeth, 153, 176; Climax of, 186-211
 Peto, Friar, 214

- Pilgrimage of Grace, 127, 132, 289
 Plots, Under Elizabeth, 193, 198, 202, 209; Gunpowder, 17, 275-278, 301; Titus Oates' —, 12, 226, 249, 266, 284-286, 302, 303
 Pole, Cardinal, 123, 124, 129
 Pollen, Fr. John, S.J., 59, 269
 Pope, Office of, 26; — and temporal jurisdiction, 35, 41, 189, 258, 260; — and Emperor 27, 34-42; — and England, 31, 107, 109, 143, 162, 164, 173; Supremacy of, 4, 84-86, 111, 112, 129, 168, 235; Alexander VI, 83; Benedict XIV, 12, 13, 16; St. Clement, 20; Clement VII, 114, 122; St. Gelasius, 27; St. Gregory the Great, 23, 27; St. Gregory VII, 31; Gregory XIII, 60, 66, 68, 132, 200, 249; Innocent III, 35, 36; Leo XIII, 66, 67, 132; Martin V, 113; Paul III, 128; Paul IV, 124, 143, 180, 181; Paul V, 217; Pius IV, 181, 182; St. Pius V, 30, 128, 193-195, 208, 217; Urban VIII, 45, 48, 56, 67
 Postulator, 46 *seq.*, 62, 70, 71
 Promotor, 47, *seq.*, 66, 71
 Promotor Fidei (*see* Devil's Advocate)

 REBELLION, of the West, 127; Of the Northern Earls, 127, 129, 130, 140, 251, 290-292; Wyatt's — 145, 154; (*see* Pilgrimage of Grace, Plots)
 Reformation, 191, 192; Popular resistance to, 118-136; Essence of, 118, 187; Causes of, 119; Chief actors in, 119 *seq.*
 Reformation Parliament, 97-117; Importance of, 99; Attack on Clergy, 99; 'Supplication,' 103
 Rich, Fr. Hugh, O.S.F., 214, 228
 Rich, Richard, 90, 91, 93
 Ridley, 4
 Risby, Fr. Richard, O.S.F., 214, 228
 Roper, 95, 295; Margaret —, 79, 89

 SAINT Alban, 60, 66; Ambrose, 26; Anselm, 33, 197; Augustine, 22, 23, 25; Boniface, 28, 66; Dunstan, 28; Elphege, 60; German, 66; Justin Martyr, 20; Optatus, 26; Thomas Aquinas, 24, 37; Thomas of Canterbury, 11, 32-34, 60, 66, 254; St. Wulstan, 60 (*see* Pope)
 Scotland, 178, 218
 Secular Clergy, Martyrs, 232-248
 Seminary Priests, 236 *seq.*
 Smith, Bishop, 55, 61
 Spain, 142, 178, 179, 181, 182, 291
 Stanney, Fr. William, O.S.F., 215, 222.
 Succession Act, 108
 Supremacy, Royal, 87, 90, 102, 109, 169, 171, 172 (*see* Pope)

 TOPCLIFFE, 205, 239, 245, 274, 296
 Treasons Act, 110
 Tudors, and Parliament, 98; Policy of, 152

 UNIFORMITY, Act of, 170, 171, 177
 Universities, 77, 101, 109, 113, 168

 VENERABLE, Title of, 49, 51, 67

 WARHAM, Archbishop, 102, 103
 Westminster Synod, 59, 60
 Westmorland, Earl of, 129
 William I, and Pope, 31, 33
 Wiseman, Cardinal, 58, 60
 Witnesses in Process of Canonization, 48, 63, 72
 Wolsey, Cardinal, 101, 110, 143



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